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Bulletin From The Office Of The Commissioner Of Probation

Vol. 9--No. 1 **March 15, 1974**

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The bulletin is published quarterly for the ormation of the Probation Service, the diciary, and the interested public. Correspon- nce should be sent to: Editor, Room 206, w Court House, Boston, Massachusetts, 108.

Publication Number:
6351 (10-1000-3-74-CR)

Approved by Alfred C. Holland,

State Purchasing Agent.

RELATING CASE CLASSIFICATION TO PROBATION

By Hadley Scottland
Staff Writer

Although basically untried in the majority of states, case classification may indeed be an effective tool for probation officers.

Proper evaluation of probationers (i.e., who gets what level of probation and treatment) is an important issue. Spending long periods of time with an offender who doesn't need intensive supervision is not a productive use of time. Neglecting offenders who need intensive probation or agency referral is an injustice.

What kinds of supervision and services should be provided to clients? This question is usually left to the discretion of the individual probation officer. After gathering facts about the offender, his family, and his friends, the probation officer is ready to prescribe for the offender a probation supervision plan.

In 1968, the Northern District of California instituted a uniform case classification system for probation. Case classification categorized offenders according to statistical tables and court approved offender classifications.

The Northern California system was simple. An "A" rating meant least potential for recidivism; "B" meant medium potential and "C" meant maximum potential. Using this process, probation officers were able to allocate more of their time to the "C" group.

Since its debut, case classification has become significantly more popular with the California courts. California, pleased with the results, made case classification mandatory for all courts in 1970.

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RELATING CASE CLASSIFICATION TO PROBATION

Continued from page 1

An offshoot of the Northern California system uses prediction tables and point systems to help probation officers predict future behavior by examining an offender's past history. For example, an arrest free period of five years before a current arrest was given a point value of twelve. On the other hand, an offender who had an arrest within five years of a current conviction received a lower number than twelve. Twelve items on a checklist must be scored for the checklist to be complete. On this particular California checklist, any probationer receiving 36 points or less would classify for intensive probation.

Proponents of case classification expound the advantages of the system. With readily available written evaluations, the court can more easily see those cases most needing intensive supervision.

Identifying a plan for probation supervision should be made easier by case classification. For example, an offender placed in a certain category for 18 months probation might receive intensive supervision for the first three months, average supervision for the next twelve, and minimal supervision for the last three.

Other advantages:

A probation officer who becomes proficient working with one category could handle that category for the entire court.

Psychological testing used in classifying cases may become a valuable tool in certain cases. Tests for such abstract qualities as conformity, law-abidingness, self-confidence, and alienation would provide courts with insights into an offender's personality.

Finally, probation officers who handle cases transferred from other jurisdictions would be better informed of the offender's present probation status.

Despite the advantages, case classification, particularly when based on statistical tables has its share of opponents. The tables themselves are not universally applicable. People are not digits, opponents explain, and misclassifying or stereotyping an individual can cause more harm than good. Moreover, the success of such a system depends on well-trained officers.

Case classification is not a substitute for a carefully developed probation plan, nor will it guarantee a successful probation outcome. But case classification has proved that it can be an effective tool in that process and an important aid to probation services.

This article is based in part on a memo written by Paul McGerigle, consultant to the OCP.

APPOINTMENTS TO THE STAFF OF OCP

Commissioner C. Eliot Sands is pleased to announce the following additions to the staff of the Office of the Commissioner:

Francis G. Keough, Jr. of Springfield has been appointed Deputy Commissioner of Probation for western Massachusetts, effective February 24, 1974. Mr. Keough is a former Supervisor of Probation Services, and former Chief Probation Officer of the Springfield District Court.

Richard J. Villa of Manchester has been appointed Supervisor of Probation Services, effective February 24, 1974. Mr. Villa is a former Probation Planner for the Office of the Commissioner and former Chief Probation Officer for the First District Court of Essex, Salem.

Richard W. Stern of Fishkill, New York has been appointed Head Administrative Assistant and Grant Manager, effective November 23, 1973. Mr. Stern is a graduate with honors from the management science program of Northeastern University and has held several supervisory posts in the Communications Systems branch of the U.S. Air Force.

Michael Hutner of Cambridge has been appointed Director of Research, effective January 2, 1974. Mr. Hutner was formerly Research Associate for the New England Economic Research Foundation and previously Executive Director of the Newport, Rhode Island community action program.

Brief Notes:

Education Report Nearing Completion

The Board of Higher Education Criminal Justice Master Plan Project which has studied higher education needs of probation personnel will be issuing its final report within the next few weeks. A final report will be mailed to each probation office by the Board of Higher Education.

24 OFFICERS COMPLETE ORIENTATION PROGRAM

Congratulations to the following officers who have completed the requirements of the Probation Officer Orientation Training Program held December 3 - 7, 1973 and December 10 - 14, 1973 and have been awarded a course completion certificate.

James Agoglia	Plymouth Juvenile District
Paul L. Bartram	Lynn District
Marie R. Belhumeur	Gardner District
Dana M. Bulger	Boston Municipal
Joseph L. Calcasola	Springfield District
David M. Chernok	Springfield District
Gary F. Cowles	Peabody District
John F. Daley	Milford District
Francis P. D'Ippolito	Chelsea District
Edward A. Dubilo	Wareham District
James W. Dunn	Gardner District
Joseph Guerreiro	Suffolk Superior
John T. Lunardini	Springfield District
Joseph H. McNiff	Lowell District
Robert Moran	Malden District
John J. O'Neil	Dedham District
Thomas E. O'Neill	Springfield Juvenile
Jean Oullette	Brockton District
Paul M. Pezzella	Worcester Central District
William Rourke	Worcester Probate
Eugene M. Sheehan	Northampton District
Robert F. Tabaroni	Plymouth Juvenile District
Robert E. Triulzi	Haverhill District
Aaron M. Wilson	Northampton District

Quarterly to Expand Coverage

In forthcoming issues, the Quarterly will be expanding its coverage of news from probation offices and events of interest to the service. We seek your help. If there are items that you would like to have published, please send them to the Editor, Office of the Commissioner of Probation, 206 New Court House, Boston, MA 02108.

You are invited also to inquire about serving as an area correspondent. Responsibilities would include coverage of conferences and meetings and the writing of articles for the Quarterly.

TEN OFFICERS COMPLETE COURSE IN DRUG EDUCATION

The following probation officers have completed the course of instruction in the Narcotic and Drug Education School conducted by the Department of the Attorney General in co-operation with the Office of the Commissioner of Probation at the Greenfield Community College, Greenfield on January 7 - 17, 1974 and the Bunker Hill Community College, Charlestown on January 28 - February 7, 1974.

Herbert Carey	Salem District
Thomas Casey	Brighton Municipal
Angelo DiNardo	Somerville District
Lester Friedberg	Essex Superior
Donald January	Lynn District
Brian Leahy	Dorchester Municipal
Leslie Ryan	Salem District
Joseph Schnabel	Woburn District
Raymond Shea	Salem District
Donald Stevens	Brighton Municipal

SUPPLEMENT TO CERTIFIED AGENCY LIST

The following supplement to the List of Agencies Certified by the Criminal History Systems Board to Receive Criminal Offender Record Information should be added to the Master List of these agencies published by the Quarterly on June 15, 1973.

62. Office of Security, U.S. Department of State for the Purposes of 5 U.S.C. 7313

63. The Licensing Board for the City of New Bedford for the purposes of M.G.L. c. 138 sec. 12

64. 3245th Security Police Squadron of Laurence G. Hanscom Field, Department of the Air Force.

65. Municipal, county, regional and state police agencies from other states and territories of the United States.

66. Municipal, county, regional and state courts having criminal jurisdiction from other states and territories of the United States.

67. Municipal, county, regional and state prosecutorial and defense agencies from other states and territories of the United States.

68. Municipal, county, regional and state correctional authorities, including probation and parole, from other states and territories of the United States.

69. Governor of the Commonwealth of Massachusetts and his Chief Legal Counsel pursuant to the Constitution of Massachusetts for purpose of pardoning offenses.

21st. NATIONAL INSTITUTE ON CRIME AND DELINQUENCY: COME TO BOSTON JUNE 23—26, AT STATLER—HILTON

program committe;

Angelo R. Musto, General Chairman; Joseph P. Foley, Program Chairman; Edward R. Skeffington, Arrangements Chairman; Francis J. Carney, Jr.; (Department of Correction) Treasurer; Stephen E. Blesofsky, (Member, Massachusetts Parole Board) Program Committee; George Keefe, (Member, Massachusetts Parole Board) program committee; David Linde (Director of Parole Services) program committee.

For registration information, contact Frederick Santarpio, Registration Chairman, Room 206 New Court House, Boston, Massachusetts, 02108; (617) 727-5302.

Monday - June 24, 1974

MAJOR SESSIONS 9:30 a.m. - 11:30 a.m.

#1. Planning in Criminal Justice
#2. International Issues and Developments in Criminal Justice
#3. The Prison Dilemma
#4. Increasing Role of the Community in Criminal Justice
#5. Role of the Institution and Diversionary Services

WORKSHOPS 2:30 p.m. - 4:30 p.m.

#1. Changing Roles of Police
#2. Court Diversion of the Younger Adult Offender
#3. Efforts in Prison Mediation
#4. Evolution of Delinquency into Adult Criminality - Inexorable?
#5. Issues to be Confronted by Nat'l Center for State Courts
#6. Training Designs for the Criminal Justice Process
#7. The Ex-Offender Movement and Criminal Justice Process
#8. Providing Modern Juvenile Probation Services
#9. The Citizen's Role in Criminal Justice Systems Change
#10. Keeping the Non-Dangerous Offender Out of Prison
#11. The Assessment of Juvenile Correctional Effectiveness
#12. Gains and Problems in Programs for Youth Change

Tuesday - June 25, 1974

MAJOR SESSIONS 9:30 a.m. - 11:30 a.m.

#6. The Issue of Official Corruption
#7. Implications of Recent Court Decisions Affecting Criminal Justice Systems
#8. National Drug and Alcohol Problems - Treatment and Enforcement
#9 Impact of National Advisory Commission on Criminal Justice Standards and Goals
#10 Major Changes in Federal Philosophy Regarding Youth Development and Delinquency Prevention

WORKSHOPS 2:30 p.m. - 4:30 p.m.

#13. Parole Decision Making Today
#14. The Problems of Plea Bargaining
#15. Where Do Victims and Compensation Fit into the Crime Picture?
#16. Solving Minority Problems, Race and Female, in the Institutions
#17. What Can Research Tell about Corrections
#18. Sentencing the Dangerous Offender
#19. Diverting the Arrested Drunken Driver
#20. The Ombudsman in Criminal Justice
#21. Restructuring Management Patterns of Existing Probation Departments
#22. Volunteers in Adult Criminal Justice Settings
#23. The Right to Treatment: The Juvenile Justice Standards Project
#24. Semi-Independent Living Situations in an Institution

This chart has appeared, previously in the Real Paper and is reprinted with their permission.

How to get your record sealed

This chart applies only to people charged under Massachusetts law. If you don't find yourself in one of the following categories, you have no sealing rights.

"Sealing" means changing your record so that you have no criminal record in the eyes of the public. Only the police and the courts have limited access to the information. Generally, you can have your record sealed only after all court proceedings have ended, all fines paid, and all jail terms or probation or parole periods are completed.

"Misdemeanor" means a crime for which the maximum sentence is 2½ years or less. Imprisonment in jail or house of correction.

"Felony" means a crime for which the maximum sentence is over 2½ years. Imprisonment in state prison.

References in parentheses are to Massachusetts statutes, which appear in two forms: codified laws, the General Laws, for which citations are to chapter and section, e.g., c 276 s 100A, and the session laws, for which citations are to chapter and the year of passage, e.g., c.1102 of '73.

With respect to most drug crimes, it can be important whether or not the complaint or indictment was initiated before, or on or after July 1, 1972, because on that date the new drug law G.L. c.94C, went into effect. Therefore, in this chart when that date is mentioned, the date of initiation is what is meant. Thus "Not convicted, before 1972" means "In a case initiated before 7/1/72 you were not convicted."

In this chart "probation only" is the same as saying "successful completion of probation."

Types of action defined:

1. Call or write the Office of the Commissioner of Probation (OCP), Court House, Boston, Massachusetts, 02108 (617-727-5300) for a sealing form; fill it out, file it with OCP. You will be notified when your record has been sealed. Allow about one month.
2. Petition the original court of action. Advisable to consult a lawyer.
3. Petition the original court of action. No lawyer necessary.

If you have any questions which these charts do not answer, contact the OCP.

Chart prepared by the Committee for a Sane Drug Policy/NORML, with assistance from the staff of the Real Paper.

		Factual situation	Sealing right	Action to take
ALL CRIMES	Felonies	A. Not guilty, no indictment or no probable cause.	Right to have record sealed (c 276 s 100C)	1
		B. Otherwise not convicted, i.e., dismissed by court (or continued without a finding and then dismissed) or nol prossed (dropped by prosecution).	Chance to have your record sealed "if it appears to the court that substantial justice would be served" (c 276 s.100C)	2
		C. Felony which has since become a misdemeanor. (For some examples, see DRUG CRIMES.)	Rights are the same as if the offense had always been a misdemeanor (c 276 s 100A)	
	Misdemeanors	D. Convicted and the last relevant proceeding took place 10 years ago or more. (Not applicable to certain offenses, such as those relating to firearms, bribery, perjury or aiding in the escape or misconduct of prisoners. You must not have been convicted of any other crimes in the interim, nor of traffic offenses for which the maximum possible penalty exceeds a $50 fine.)	Right to have record sealed (c 276 s 100A)	1
		E. Not guilty, no indictment or no probable cause	Right to have record sealed immediately (c.276 s 100C).	1
		F. Otherwise not convicted, i.e., dismissed by court (or continued without a finding and then dismissed) or nol prossed (dropped by prosecution)	Chance to have record sealed "if it appears to the court that substantial justice would be served" (c 276 s 100C)	2
	Other	G. Juvenile delinquency - found delinquent and the last relevant proceeding took place 3 years ago or more. You must not have been adjudicated guilty or delinquent of any other crimes or delinquencies in the interim, nor of traffic offenses for which the maximum possible penalty exceeds a $50 fine.	Right to have record sealed (c 276 s 100B)	1
DRUG CRIMES	Possession of any drug	H. Convicted, before 7/1/72, not marijuana	Was felony, now misdemeanor (c 94C s 34) Must satisfy sealing conditions in D	1
		I. Convicted, on or after 7/1/72, second or subsequent offense and/or fined or sentenced	Must satisfy sealing conditions listed in D	1
		J. Convicted, on or after 7/1/72, not marijuana, first offense, probation only.	Court may seal. Discretionary with the court (c.94C s 34)	2
		K. Not Convicted, before 7/1/72.	Refer to either E or F in chart for ALL CRIMES	1 if E, 2 if F
		L. Not convicted, on or after 7/1/72	Right to have record sealed immediately (c.94C s.44).	3
	Marijuana offenses	M. Convicted, before or after 7/1/72, of sale, possession with intent to sell, manufacture or gift.	Was felony, now misdemeanor (c 94C s 32) Must satisfy sealing conditions in D	1
		N. Not convicted of same, before 7/1/72	Refer to either E or F in chart for ALL CRIMES	1 if E, 2 if F
		O. Not convicted of same on or after 7/1/72	Right to have record sealed immediately (c 94C s 44)	3
		P. Convicted, before 7/1/72, of possession only, second or subsequent offense	Was felony, now misdemeanor (c 94C s 34) Must satisfy sealing conditions in D	1
		Q. Convicted of same, before 7/1/72, first offense	Right to have record sealed immediately (c.1102 of '73)	3
		R. Convicted of same, on or after 7/1/72, second or subsequent offense and/or fined or sentenced	Must satisfy sealing conditions in D	1
		S. Convicted of same, on or after 7/1/72, first offense and probation only	Right to have record sealed immediately (c 94C s 34)	3
	Being present where heroin is found	T. Convicted, before 7/1/72	Was felony, now misdemeanor (c 94C s 35) Must satisfy sealing conditions in D	
		U. Not convicted, before or after 7/1/72.	Refer to either E or F in chart for ALL CRIMES	1 if E, 2 if F
		V. Convicted, on or after 7/1/72, second or subsequent offense and/or fined or sentenced	Must satisfy sealing conditions in D	1
		W. Convicted on or after 7/1/72, first offense and probation only	Right to have record sealed immediately (c 94C ss 34 & 35)	2
	Other	X. Being present where any drug other than heroin is found	No longer a crime as of 7/1/72 (s 2 of c 1071 of '71). Right to have record sealed immediately (c 276 s 100A)	1
		Y. Drunkenness	No longer a crime as of 7/1/73 (s 11 of c 1076 of '71). Right to have record sealed immediately (c 276 s 100A)	1

New Forms Available

The Defendant's Statement and probation revocation forms can now be ordered from Hobbs and Warren, 80 Summer Street, Boston, MA 02110. The new Defendant's Statement form supersedes the Defendant's Financial Statement form which is now being used. The new form is to be used for evaluating eligibility for release on personal recognizance or bail (Superseding Probation Manual cc-7-70 and cc-1-68) eligibility for court-appointed counsel, and for the initial written investigation prior to disposition (as prescribed in the Probation Manual, page IIA-6-71).

The probation revocation forms recently approved by the Committee on Probation can also be ordered directly from Hobbs and Warren.

CHANGES IN PERSONNEL

DESIGNATIONS AS CHIEF PROBATION OFFICER

Gerard Brocklesby, Probate Court for the County of Middlesex, effective November 19, 1973

Daniel H. Casey, Probate Court for the County of Worcester, effective November 1, 1973

John D. Chapman, Acting, Second District Court of Barnstable, Orleans effective January 1, 1974

Joseph E. Hamilton, Acting, Bristol County Juvenile Court, effective January 1, 1974

Manuel Moutinho, District Court of Springfield, effective December 1, 1973

DESIGNATION AS FIRST ASSISTANT CHIEF PROBATION OFFICER

Joseph M. Faucette, District Court of Springfield, effective December 1, 1973

DESIGNATIONS AS ASSISTANT CHIEF PROBATION OFFICER

Gerald T. Bowler, District Court of Chicopee, effective February 1, 1974

Julius V. Chaplik, District Court of Western Norfolk, Wrentham, effective November 26, 1973

Orvis F. Kinney, District Court of Brockton, effective January 18, 1974

James W. Mulford, First District Court of Northern Middlesex, Ayer, effective September 4, 1973

Richard S. Peterson, Acting, District Court of Fitchburg, effective January 2, 1974

Daniel W. Sheehan, Superior Court for the County of Middlesex, effective December 5, 1973

Anthony M. Sicuso, Middlesex Juvenile Probation District, effective January 1, 1974

Rachel Stockton, District Court of Springfield, effective December 1, 1973

PERMANENT APPOINTMENTS

Ronald C. Balboni, District Court of Springfield, effective December 1, 1973

Paul L. Bartram, District Court of Southern Essex, Lynn, effective January 30, 1974

Joseph V. Brown, District Court of Western Norfolk, Wrentham, effective January 2, 1974

Gary F. Cowles, District Court of Peabody, effective February 1, 1974

John F. Daley, Third District Court of Southern Worcester, Milford, effective January 1, 1974

Ronald J. D'Arcangelo, Second District Court of Essex, Amesbury, effective January 1, 1974

Clyde DeBay, 236 Leyden Street, East Boston, East Boston District Court, effective November 14, 1973, a former deputy probation officer and drug counselor

Mary A. King, 14 Frothingham Road, Worcester, Worcester Juvenile Court, effective December 10, 1973, a graduate of Worcester State College and a former teacher

Paul R. Kingston, 22 Beaumont Street, Springfield, Superior Court of Franklin and Hampshire Counties, effective November 19, 1973, a graduate of the Seminary of Our Lady of Angels and a former social worker

Fernando L. Monteiro, District Court of Springfield, effective December 1, 1973

David A. Parke, First District Court of Barnstable, Barnstable, effective December 1, 1973

Ann K. Pollard, 185 Fairmount Street, Lowell, District Court of Lowell, effective January 28, 1974, a graduate of Emmanuel College and a former teacher

Eugene M. Sheehan, District Court of Hampshire, Northampton, effective December 4, 1973

Changes in personnel...

Robert E. Triulzi, Central District Court of Northern Essex, Haverhill, effective February 1, 1974

TEMPORARY APPOINTMENTS

Joseph R. Aberdale, 47 Abbey Street, Chicopee, Springfield Juvenile Court, effective November 19, 1973, a graduate of Westfield State College and a former teacher

Joan M. Anton, 40 French Street, Quincy, Probate Court of Middlesex County, effective December 3, 1973, a graduate of Boston College and a former social worker

Antonia P. Ardoin, 110 Cottage Street, New Bedford, Bristol County Juvenile Court, effective January 7, 1974, a former coordinator of Youth Resource Agencies

Walter J. Avis, 28 Frothingham Road, Worcester, Probate Court for Worcester County, effective November 26, 1973, a graduate of Holy Cross College with an M.Ed. from South Dakota State University and a former interviewer for the South Dakota Employment Security Agency

Charles R. Benedict, 17 Russell Avenue, Plymouth, Third District Court of Plymouth, Plymouth, effective January 28, 1974, a graduate of Tufts University and a former teacher

Michael J. Buffone, 11 Primrose Street, Worcester, Worcester Juvenile Court, effective December 10, 1973, a graduate of Fitchburg State College.

Joseph M. Connolly, 155 Orris Street, Melrose, Probate Court for Middlesex County, effective December 24, 1973, a graduate of St. John's Seminary with a M. Ed. from Northeastern University and a former counselor

Jack C. Coombs, 16 Flagg Street, Worcester District Court of Leominster, effective February 1, 1974, a graduate of Worcester State College and a former vocational counselor for the Neighborhood Youth Corps

Kathryn G. Cowles, 135 East Main Street, Westboro, Second District Court of Plymouth, Hingham, effective November 26, 1973, a graduate of the University of Massachusetts and a former social worker

Barbara I. Foster, 26 Stephen Place, Cambridge, Superior Court for the County of Middlesex, effective December 5, 1973, a graduate of Boston State College

Ann E. Gilboard, 116 Highland Avenue, Lowell, First District Court of Southern Middlesex, Framingham, effective January 1, 1974, a graduate of Boston University

Robert P. Gordon, 23 Irving Street, Winchester, District Court of Western Norfolk, Wrentham, effective November 26, 1973, a graduate of Northeastern University and a former psychiatric aide

John E. Graham, 4A Oak Circle, Rockport, District Court of Eastern Essex, Gloucester, effective December 10, 1973, a graduate of North Adams State College

John J. Healey, 31 Worrel Road, Plymouth Superior Court for Plymouth County, effective November 19, 1973, a graduate of Boston University and a former interviewer for the Massachusetts Division of Employment Security

Raymond P. Jolicoeur, 468 Massasoit Road, Worcester, First District Court of Southern Worcester, Dudley, effective December 1, 1973, a graduate of Suffolk University

David J. Kearns, 173 Appleton Avenue, Pittsfield, Berkshire County Juvenile District, effective December 10, 1973, a graduate of Assumption College

John R. Killion, 921 Hanover Street, Hanover, Norfolk Juvenile Probation District, effective January 28, 1974, a graduate of Northeastern University

Edward J. Kraus, 397 Front Street, Chicopee, Springfield Juvenile Court, effective December 13, 1973, a graduate of St. Michael's College

William L. LaPointe, 21 Labrie Avenue, Chicopee, District Court of Chicopee, effective February 1, 1974, a graduate of Westfield State College and a former teacher of emotionally disturbed children

Mary R. Lippold, Warren Avenue, Harvard, District Court of Central Middlesex, Concord, effective December 1, 1973, a graduate of West Virginia University

Mark F. Lynch, 10 Woodland Way, Haverhill, Essex Juvenile Probation District, effective December 3, 1973, a graduate of Boston College and a former social worker

Edith V. Mace, 18 Samoset Street, Dorchester, Municipal Court of the West Roxbury District, effective December 19, 1973, a graduate of Emmanuel College with an M.A. from Boston College and a former teacher

John L. Mansfield, 110 Beacon Street, Hyde Park, Superior Court for Plymouth County, effective November 19, 1973, a graduate of Boston State College and a former teacher

John J. McCarron, 139 A Street, Lowell, First District Court of Northern Middlesex, Ayer, effective February 1, 1974, a graduate of Merrimack College

John F. McDermott, 19 Colonial Road, Auburn, District Court of Fitchburg, effective December 10, 1973, a graduate of Holy Cross College and a former rehabilitation counselor

Keith E. McDonough, 21 Kendrick Street, Lawrence, Central District Court of Northern Essex, Haverhill, effective December 1, 1973, a graduate of Salem State College and a former teacher

Changes in personnel...

Martha Monell, 120A Babcock Street, Brookline, First District Court of Southern Middlesex, Framingham, effective November 19, 1973, a graduate of Boston University

David A. Morris, 136 Smith Street, Lowell, Probate Court of Middlesex County, effective November 19, 1973, a graduate of Boston State College and a former teacher

Ronald T. Mycock, Shell Lane, Cotuit, Superior Court for the Counties of Barnstable, Bristol, Dukes and Nantucket, effective November 12, 1973, a graduate of Suffolk University

Diana O'Dell, 261 Beacon Street, Boston Alcohol Safety Action Project, Municipal Court of the Charlestown District, effective January 7, 1974, a graduate of Central Missouri State University with an M. Ed. from the University of Massachusetts

William W. O'Neil, 59 School Street, Northboro, District Court of Fitchburg, effective January 2, 1974, a graduate of Unity College and a former court officer

Barbara Pietraszek, 342 Lowell, Methuen, Probate Court for Essex County, effective January 7, 1974, a graduate of Merrimack College with an M.A. from Duquesne University

James F. Poirier, 24A McEnelly Street, Marlborough, Middlesex Juvenile Probation Office, effective January 1, 1974, a graduate of Merrimack College and former court officer

Nicholas J. Ricciuti, 8 Crystal Street, Webster, Middlesex Juvenile Probation District, effective January 1, 1974, a graduate of Holy Cross College and a former counselor

Paul D. Riley, 78 John Corcoran Park, Cambridge, Second District Court of Eastern Middlesex, Waltham, effective February 1, 1974

Joan M. Rockett, 78 Chestnut Street, Foxboro, Superior Court for Norfolk County, effective November 12, 1973, a graduate of Northeastern University and a former correction social worker

James C. Ryan, 11 Diana Drive, Canton, Alcohol Safety Action Project, Municipal Court of the Charlestown District, effective January 7, 1974, a graduate of Holy Cross College with a J.D. from Suffolk Law School

Christine A. Siragusa, 33 Curve Street, Waltham, Second District Court of Eastern Middlesex, Waltham, effective February 1, 1974, a graduate of Connecticut College

Robert D. Trostel, 59 Appleton Street, North Quincy, District Court of Southern Norfolk, Stoughton, effective November 12, 1973, a graduate of St. John's Seminary where he also earned a M. Div.

Susan B. Zuker, 7 Beale Street, Brookline, Norfolk Juvenile Probation District, effective January 14, 1974, a graduate of the University of Miami and a former teacher

TRANSFER

Donald DeMita, First District Court of Southern Middlesex, Framingham to Probate Court of Middlesex County, effective Novemer 18, 1973

Gerald H. Pednault, Middlesex Juvenile Probation District, to First District Court of Southern Middlesex, Framingham, effective January 1, 1974

LEAVE OF ABSENCE

Frank J. Caruso, District Court of Eastern Essex, Gloucester, for six months, effective December 9, 1973

Daniel J. Keefe, District Court of Southern Essex, Lynn, for one year, effective September 27, 1973

RESIGNED

Perry McDonough, First District Court of Northern Middlesex, Ayer, effective November 30, 1973

Anthony J. Marino, Fourth District Court of Plymouth, Wareham, effective February 8, 1974

RETIRED

James J. Cordeiro, Second District Court of Barnstable, Orleans, effective January 1, 1974

Albert J. Moquin, Bristol County Juvenile Court, effective December 31, 1973

MASS
Jo.3: vol.9/no.2

Government Documents
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AUG 1974
University of Massachusetts

massachusetts
probation

Bulletin From The Office Of The Commissioner Of Probation

Vol. 9 -- No. 2 June 15, 1974

21st. NATIONAL INSTITUTE ON CRIME AND DELINQUENCY

Editor

Michael Hutner

Assistant Editor

Ann Cronin

Staff Writers

Beatrice Taylor
Hadley Scottland

Layout Editor

Hadley Scottland

The bulletin is published quarterly for the information of the Probation Service, the Judiciary, and the interested public. Correspondence should be sent to: Editor, Room 206, New Court House, Boston, Massachusetts, 02108.

Publication Number:
6351 (10-1000-6-74-CR)

Approved by Alfred C. Holland,

State Purchasing Agent

CHANGE: RESPONSE AND RESPONSIBILITY is the theme of the 21st National Institute on Crime and Delinquency which will be held Sunday, June 23 through Wednesday, June 26 at the Boston Statler Hilton Hotel. Two thousand delegates from every part of the country and several visiting international dignitaries are expected to attend and hear criminal justice and correctional officials and such featured speakers as Governor Francis Sargent, Attorney General Robert Quinn, FBI Director Clarence Kelley and LEAA Administrator Donald Santarelli. The Institute, at which the Hon. Walter H. McLaughlin, Chief Justice of the Massachusetts Superior Court will serve as Honorary Chairman, is being planned by a great many people.

Angelo R. Musto, Massachusetts Deputy Commissioner of Probation, is General Chairman and has primary responsibility for the overall success of the 21st Institute. Mr. Musto is President of the New England Council on Crime and Delinquency. He holds a Juris Doctor degree from Northeastern University Law School, and showed an early interest in the welfare of others when he started as a part-time boys' worker at the age of 16 in his native East Boston. He subsequently has held numerous posts in the social work field. He was appointed a Probation Officer for the Boston Municipal Court in 1957 and in May, 1965 was designated a Deputy Commissioner.

Mr. Musto has been President of the East Boston Athletic Board, President of the Boston Boys' Workers Conference, Vice-President of the Massachusetts Probation Association, and a former Member of the Governor's Advisory Committee on Correction. He is the recipent of many civic awards and was voted "Man of the Year" in 1973 by the East Boston Chamber of Commerce for outstanding civic work.

Joseph P. Foley, also a Massachusetts Deputy Commissioner of Probation is Program Chairman and responsible for program content and selection of the various speakers and workshop participants. Mr. Foley is a graduate of Boston College and holds a J.D. degree from Boston College Law School. He is a member of both the Massachusetts and Federal Bars. A World War II veteran, he entered the Massachusetts Probation Service in 1947 as a Probation Officer in the newly formed Middlesex Juvenile Probation District in Framingham. In 1950, he became Chief Probation Officer of that District, and 1966 was designated a Massachusetts Deputy Commissioner of Probation, a position in which he is currently serving.

Mr. Foley was appointed to the Professional Council of the National Council on Crime and Delinquency in 1965 and was a member of the Juvenile Delinquency Subcommittee of that organization. A recognized authority on juveniles and juvenile problems, Mr. Foley received the "Man of the Year" award from the Massachusetts Juvenile Police Officers Association in 1969.

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Edward R. Skeffington, Assistant Chief Probation Officer for the Boston Juvenile Court, is Arrangements Chairman, and is responsible for hotel and other accommodations. Mr. Skeffington was recently elected President of the Massachusetts Probation Association. His notable career of service is described in a separate article on page 4 of this issue.

Among many others who have been working to ensure a successful conference are the following people and their respective responsibilities: Sidney Barr, a Massachusetts Deputy Commissioner of Probation, conference exhibits; Frederick J. Santarpio, Assistant to the Commissioner of Probation, registration and printing; James R. Davis, Director of the Division of Community Relations of the Massachusetts Commission Against Discrimination, publicity; Colonel Thomas H. Wright, Director of Administration for the Massachusetts Commission Against Discrimination, entertainment events; Milton Luger, Director of the New York State Division for Youth, General Sessions; and Francis J. Carney, Director of Research and Planning for the Massachusetts Department of Correction, financial matters.

The Institute will feature a range of talks and discussions on probation-related topics. The following are some of the topics of special interest. Some, but not all of the speakers for those topics are also listed.

Sunday, June 23, 1974 **Opening General Session - 8:00 p.m.**

Monday, June 24, 1974 **Major Sessions - 9:30 A.M. - 11:30 A.M.**

PLANNING IN CRIMINAL JUSTICE

Hon. Robert H. Quinn	Attorney General of Massachusetts
Gerald M. Caplan	Director, National Institute of Law Enforcement and Criminal Justice, LEAA.

DIFFERENTIAL PROBLEMS OF DISPOSITION IN THE JUVENILE JUSTICE SYSTEM

Hon. Margaret C. Driscoll	National Council of Juvenile Court Judges and Judge, State of Connecticut Juvenile Court

General Session Luncheon: Donald E. Santarelli, Administrator, Law Enforcement Assistance Administration

Monday, June 24, 1974 **Workshop Sessions 2:30 p.m. - 4:30 p.m.**

CHANGING ROLE OF POLICE

Robert J. DiGrazia	Police Commissioner, Boston, Mass.
Paul F.Dunn	Director, Law Enforcement Council, NCCD

COURT DIVERSION OF THE YOUNGER ADULT OFFENDER

William B. Henschel	Director, Hennepin County Pre-Trial Diversion Project, Minneapolis, Minn.
Milton B. Allen, Esq.	State's Attorney for Baltimore City, Maryland.

TRAINING DESIGNS FOR THE CRIMINAL JUSTICE SYTEM

Arnold R. Rosenfeld	Executive Director, Committee on Criminal Justice, Massachusetts
Archibald R.Murray	Commissioner, New York State Division of Criminal Justice Services

PROVIDING MODERN JUVENILE PROBATION SERVICES

R. O. D. Schoenbacher	Chief Probation Officer, Harris County Juvenile Probation Department, Houston, Texas.
Louis G. Maglio	Chief Probation Officer, Boston Juvenile Court

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THE ASSESSMENT OF JUVENILE CORRECTIONAL EFFECTIVENESS

Charles H. Shireman	Professor, University of Chicago School of Social Service Administration

Tuesday, June 25, 1974 Major Sessions 9:30 a.m. - 11:30 a.m.

NATIONAL DRUG AND ALCOHOL PROBLEMS - TREATMENT AND ENFORCEMENT

Dr. Morris E. Chafetz	Director, National Institute on Alcohol Abuse and Alcoholism, Rockville, Md. (HEW)
Dr. John H. Langer	Chief of Prevention Programs Section, Office of Public Affairs, Drug Enforcement Administration, U.S. Dept. of Justice, Washington, D.C.
Anthony Cagliostro	Chairman, New York State Drug Abuse Control Commission, Albany, N.Y.

General Session Luncheon, Speaker: William G. Nagel, Director, The American Foundation

Tuesday, June 25, 1974 Workshop Sessions 2:30 p.m. - 4:30 p.m.

THE PROBLEM OF PLEA BARGAINING

Hon. Florence K. Murray	Associate Justice, Rhode Island Superior Court
William Cahn, Esq.	District Attorney, Nassau County, Mineola, N.Y.

DIVERTING THE ARRESTED DRUNKEN DRIVER

Charles F. Livingston	Director, Office of Alcohol Counter Measures, U.S. Dept. of Transportation
Richard X. Connors	Director, Boston Alcohol Safety Action Project

RESTRUCTURING MANAGEMENT PATTERNS OF EXISTING PROBATION DEPARTMENTS

Donald L. Chamlee	Assistant Chief of Probation Administrative Office of the U.S. Courts, Washington, D.C.
Alvin W. Cohn	President, Administration of Justice Services, Inc., Rockville, Md.

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PUBLICATIONS AVAILABLE TO P.O.'S

Probation officers can borrow books, journals, and government publications from the Committee on Criminal Justice library located in Room 740 at 80 Boylston Street in Boston. Supervised by Information Specialist Kathleen Crandell, the collection consists of 3000 well-organized volumes. Holdings relate not only to Probation, but to the entire field of criminal justice.

There is a special section of federal and state publications which includes copies of selected U.S. House and Senate hearings on criminal justice topics. There is also an up-dated file of newspaper clippings, and articles appearing in any of 50 journals may be photocopied. Telephone the library at 727-7099 to request specific publications. These will be loaned by mail for three weeks at no cost to the probation officer.

COMMITTEE MEETS ON VOLUNTEERS

An informal advisory committee on volunteerism in Probation met April 30 at the Framingham Police Academy. The group discussed ways to provide technical advisors for courts setting up new programs. The compilation of a manual describing existing probation volunteer programs was another subject of discussion. The manual is expected to be especially useful to courts developing new volunteer programs.

Establishment of the advisory group follows a recent survey in which 44 of our 103 offices reported using both adult and juvenile volunteers. Sixteen offices not yet using volunteers, felt that they had need for such a program. The new committee will assist those offices and any others which requested information.

Any P.O. wishing to serve on the Committee should contact Francis Keough, Deputy Commissioner or Cornelius Twomey, Supervisor of Probation Services.

SKEFFINGTON ELECTED MPA PRESIDENT

Edward R. Skeffington, Assistant Chief Probation Officer of the Boston Juvenile Court, has been elected President of the Massachusetts Probation Association. Mr. Skeffington is a graduate of Boston College, has attended both the Boston College School of Social Work and the Boston University School of Education, and holds a J.D. degree from Suffolk University Law School. He is a member of the Massachusetts Bar.

A Korean veteran, Mr. Skeffington served as Assistant Director of the Citizenship Training Group, Inc., affiliated with the Boston Juvenile Court before his appointment as Probation Officer in that court in 1959. In 1968, he became an Assistant Chief Probation Officer in the same court, a position which he presently holds.

Mr. Skeffington is past President of the Massachusetts Council of Probation Officers for Children, former Editor of "The News," the publication of the Massachusetts Probation Association.

He is a former Member of the Joint Committee on Guidelines and Recommended Practices and is currently an Alternate Member of the Massachusetts Supreme Judicial Court Management Survey. He is also a part-time instructor in the Sociology Department of Suffolk University, Evening Division.

Mr. Skeffington is a resident of North Reading, is married to the former Patricia Bowman and has two children, Pamela, age 11 and Mark, age 3.

OFFICERS COMPLETE COURSE IN DRUG EDUCATION

The following probation officers have completed the course of instruction in the Narcotic and Drug Education School conducted by the Department of the Attorney General in co-operation with the Office of the Commissioner of Probation at the Quinsigamond Community College, Worcester on March 4 - 14, 1974, the Massachusetts Maritime Academy at Buzzards Bay on April 1 - 11, 1974 and the Holyoke Community College on May 6 - 16, 1974.

Joseph Conway	Quincy District
Timothy Hallahan	Springfield District
Eugene Koylion	Quincy District
Mary Lynch	Quincy District
Elliott Stratton	Springfield Juvenile
Robert Tabaroni	East Boston District
Robert Verge	Quincy District

OFFICERS COMPLETE ORIENTATION

Congratulations to the following officers who have completed the requirements of the Probation Orientation Course for newly-appointed probation officers held on May 6-10 and May 20-24, 1974 at the State Police Academy in Framingham and have been awarded a course completion certificate.

Joan M. Anton	Middlesex Probate
Antonia P. Ardoin	Bristol Cty. Juvenile
Donald Bacheller	Essex Juv. Prob. Dist.
Gerald R. Brown	Plymouth Superior
Thomas E. Casey	Brighton Municipal
James J. Clark	Concord District
Maureen K. Corbett	Brookline Municipal
Paul B. DeWolfe	Lynn District
James G. Espinoza	Framingham District
Barbara I. Foster	Middlesex Superior
Robert P. Gordon	Wrentham District
John E. Graham	Gloucester District
John J. Healey	Plymouth Superior
Barry E. Hickman	Boston Juvenile
John R. Killion	Norfolk Juv. Prob. Dist.
Paul J. Klibansky	Salem District
Shirley Markland	Concord District
Keith McDonough	Haverhill District
Martha Monell	Framingham District
David A. Morris	Middlesex Probate
Ronald J. Mycock	Barnstable, Bristol, Dukes, Nantucket Superior
Laura J. Nastasi	Suffolk Probate
Charles E. Physic	Cambridge District
Barbara Pietraszek	Essex Probate
James F. Poirier	Middlesex Juv. Prob. Dist.
Anne K. Pollard	Lowell District
John J. Quinn	Middlesex Superior
Paul D. Riley	Waltham District
Dennis P. Skerry	Natick District
Robert D. Trostel	Stoughton District
William P. Walsh	Bristol Cty. Juvenile
Elden D. J. Zuern	Quincy District
Susan B. Zuker	Norfolk Juvenile District

Appointments to the Superior Court Probation

John F. Feeney of Quincy has been designated Supervisor of Superior Court Probation Service, effective March 1, 1974. Mr. Feeney has had wide experience in the probation field, having served as Assistant Supervisor of Superior Court Probation Service and as Chief Probation Officer of the Suffolk Superior Court Probation Service.

Edward J. Leary of Plymouth has been designated Assistant Supervisor of Superior Court Probation Service, effective March 11, 1974. Mr. Leary was formerly Chief Probation Officer in the Plymouth Superior Court Probation Office and served as Assistant Chief Probation Officer for the combined Superior Court Probation Offices for Norfolk and Plymouth.

NEW ALCOHOLIC CENTERS ARE OPENED

For the convenience of the Probation Service, we are publishing additional alcoholism detoxification centers which either have opened recently or will be open by the summer of 1974. These should be added to the initial list of centers which was published as a supplement to the June, 1973 Quarterly.

The following centers are open as of May 1, 1974:

CAMBRIDGE - SOMERVILLE	Cambridge-Somerville Program for Alcoholic Rehabilitation Beacon and Kent Streets, Somerville 628-6300 20 Beds Area designated: Cambridge and Somerville
EAST BOSTON	East Boston Detoxification Unit 56 Havre Street, East Boston 567-9323 20 beds Area designated: Charlestown, East Boston, Chelsea, Revere and Winthrop
FRAMINGHAM	Greater Framingham Detoxification Center Wilson Cottage, Merchant Row, Framingham 879-2950 20 beds Area designated: Marlborough, Westborough, Framingham, Newton Wellesley and Weston
PITTSFIELD	Berkshire Detoxification Center Hillcrest Hospital, Tor Court, Pittsfield, MA. 413-499-0337 20 beds Area designated: Berkshire County

The following centers will be open as of June 30, 1974

BOSTON	Roxbury Detoxification Center 5 Burton Avenue, Roxbury 20 beds Area designated: Jamaica Plain, Roxbury and North Dorchester
BOSTON	Mattapan Chronic Disease Hospital 249 River Street, Mattapan 298-7900 20 beds Area designated: Dorchester, Hyde Park, Readville, Roslindale, West Roxbury and Mattapan
HOLYOKE	Western Massachusetts Detoxification Center 206 Elm Street, Holyoke 20 beds Area designated: Greater Holyoke area and Chicopee
FITCHBURG - LEOMINSTER	Fitchburg and Leominster Detoxification Center 17 Orchard Street, Leominster 20 beds Area designated: Greater Fitchburg and Gardner, Leominister

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LYNN

Lynn Intervention Center
Danvers State Hospital, Danvers

30 beds
Area designated: Danvers, Lynn, Lynnfield, Marblehead, Middleston, Peabody, Salem, Saugus and Swampscott
The present facility at 110 Green Street, Lynn will be converted into a drop-in-center.

MANUAL HAS CLIENT REFERRAL SOURCES

The Office of the Commissioner has received manuals containing listings of available community resources from several probation offices. The most recent, received from the Plymouth County Juvenile Probation Department, was compiled and published under the direction of Chief Probation Officer Frank A. Luongo.

The manual is divided into nine categories. Each has an alphabetical listing of client referral sources for problems related to alcoholism and drug treatment, employment, human services, medical and mental health facilities, law enforcement and government agencies and rehabilitation and residential placement units.

Compilation was completed during a brief six-week period, with the efforts of the entire Plymouth County Juvenile Probation Staff. Each probation officer submitted to Chief Luongo, his individual file of agencies which were providing assistant to clients. These lists were pooled, screened and sorted into the nine categories. Chief Luongo is enthusiastic about the finished product and has found it helpful, not only to his own department, but also to many other persons and agencies seeking help for people in trouble.

CPO's in other courts who have a similar listing of referral agencies are requested to send a copy to the Editor, Massachusetts Probation Quarterly, 206 New Court House, Boston, Massachusetts 02108. In addition, if there are other reference manuals developed by allied social agencies, we would appreciate hearing about them. A bibliography of manuals received in this office will be published in the September issue of the Quarterly.

FALL CONFERENCE PLANNED FOR OCTOBER 22 — 23

The annual conference of probation officers is being planned for October 22 and 23 at the Sheraton Hotel in West Springfield. The conference, which is expected to be partially funded by LEAA, will feature sessions and workshops covering a range of Probation Service issues.

Participating in the planning will be representatives from the Probation Association and the Office of the Commissioner. More about the Conference in the next issue of the Quarterly.

PROBATION OFFICERS DAY AT FENWAY PARK

Massachusetts Probation Officers Association President Edward R. Skeffington has announced a Probation Officers Day at Fenway Park on Saturday, July 6. Part of the proceeds from the baseball game tickets will be given to a newly created scholarship fund under the auspices of the Association.

IN MEMORIAM

The Probation Service extends its deep sympathy to the families of the following probation officers who have recently passed away:

Maurice J. Lane, Chief Probation Officer of the Norfolk Juvenile Probation District, died April 9, 1974. Mr. Lane entered the Probation Service in 1952 and was designated Chief Probation Officer in 1957.

James H. Norton, Probation Officer for the Municipal Court of the Roxbury District, died April 12, 1974. Mr. Norton entered the Probation Service on September 1955.

CPO QUESTIONNAIRE

Chief Probation Officers are reminded by the Program Planning and Management Unit of the Commissioner's Office that the completed Special Programs Inventory which was due on June 15 should be returned as soon as possible.

Please address returns to:

Richard J. Villa, Director
Program Planning and Management Unit
Office of the Commissioner of Probation
206 New Court House
Boston, MA 02108

APPOINTMENTS TO THE STAFF OF OCP

Commissioner C. Eliot Sands is pleased to announce to following additions to the staff of the Office of the Commissioner.

William W. Dow of Haverhill has been appointed Program Development Specialist. Mr. Dow was graduated from the University of Massachusetts and holds a J.D. from Suffolk Law School. He has been admitted to the Massachusetts bar and is a former Planning Director from the Eastern Middlesex Opportunities Council in Somerville.

Joan M. Sommer of Lynn has been appointed Assistant Program Development Specialist. Ms. Sommer is a graduate of Seton Hill College and holds an M.A. in Counseling Psychology from Antioch College. She was formerly Group Coordinator for the Pennsylvania Program for Women and Girl Offenders.

SUPPLEMENT TO CERTIFIED AGENCY LIST

The following supplement to the List of Agencies Certified by the Criminal History Systems Board to Receive Criminal Offender Record Information should be added to the Master List of these agencies published by the Quarterly on June 15, 1973.

70. National Parole Board of Canada

71. Armed Forces Recruiting Offices for purpose of determining existence of felonies pursuant to 10, U.S.C. 504.

72. Board of License Commissioners for City of Springfield for purpose of M.G.L. Chapter 138, sec. 12, para. 4.

73. Board of License Commissioners for City of Waltham for purpose of M.G.L. Chapter 138, sec. 12, para. 4.

74. N.Y. State Dept. of Civil Service for purpose of determining whether an individual seeking Civil Service eligibility is guilty of a crime, pursuant to Sec. 50, Subdivision 4, of the N.Y. State Civil Service Law.

Changes in personnel

DESIGNATIONS AS CHIEF PROBATION OFFICER

John W. Belyea, Probate Court for Essex County, effective January 7, 1974.

Paul A. Ladas, Acting, Superior Court for the County of Plymouth, effective March 11, 1974.

George H. Smith, Jr., District Court of Leominster, effective February 1, 1974.

PERMANENT APPOINTMENTS

William J. Barrett, 334 La Grange Street, West Roxbury, Boston Juvenile Court, effective April 10, 1974, a graduate of Boston College and former Director of Education for the Blue Hills Program.

Marie R. Belhumeur, First District Court of Northern Worcester, Gardner, effective February 13, 1974.

Dana M. Bulger, Municipal Court of the City of Boston, effective March 12, 1974.

James W. Dunn, First District Court of Northern Worcester, Gardner, effective February 13, 1974.

Jean M. Goolishian, Superior Court for Worcester County, effective March 11, 1974.

TeDeedra Healy, Northern Worcester Juvenile Probation District, effective May 1, 1974.

Barry E. Hickman, 258 Arborway, Jamaica Plain, Boston Juvenile Court, effective March 27, 1974, a graduate of Boston State College.

David J. Kearns, Berkshire Juvenile Probation District, effective April 8, 1974.

Shirley Markland, District Court of Central Middlesex, Concord, effective April 1, 1974.

John J. O'Neil, District Court of Northern Norfolk, Dedham, effective March 18, 1974.

Susan M. Paris, Bristol County Juvenile Court, effective February 1, 1974.

Charles E. Physic, Third District Court of Eastern Middlesex, Cambridge, effective April 1, 1974.

John R. Santos, Bristol County Juvenile Court, effective February 1, 1974.

Robert F. Tabaroni, Plymouth Juvenile Probation District, effective April 1, 1974.

Aaron M. Wilson, District Court of Hampshire, Northampton, effective March 1, 1974.

Elden D. J. Zuern, District Court of East Norfolk, Quincy, effective April 1, 1974.

TEMPORARY APPOINTMENTS

Julius H. Britto, 17 Tyler Avenue, East Wareham, Fourth District Court of Plymouth, Wareham, effective February 11, 1974, a graduate of the University of Massachusetts and a former teacher.

Maureen K. Corbett, 23 Davis Street, Brookline Municipal Court of Brookline, effective March 18, 1974, a graduate of Boston College.

Terri Marino, 151 Tremont Street, Boston, Boston Juvenile Court, effective March 27, 1974, a graduate of Suffolk University.

D. Bruce Miller, 148 Harwood Avenue, Littleton, District Court of Marlborough, effective May 1, 1974, a graduate of Washington College and a former teacher and parole agent.

Thomas J. Mitchell, 38 Erie Avenue, Holyoke, Norfolk Juvenile Probation District, effective March 11, 1974 a graduate of Monmouth College and a former counselor.

Leonel O. Souza, 395 New Boston Road, Fall River, Second District Court of Barnstable, Orleans, effective April 1, 1974, a graduate of Bryant College and a former court social worker.

RESIGNED

Nancy Maron Soll, Boston Municipal Court, effective March 1, 1974.

Frank J. Caruso, District Court of Eastern Essex, Gloucester, effective March 1, 1974.

RETURNED FROM LEAVE

William M. Ryan, District Court of Hampshire, Northampton, effective January 28, 1974.

J6.3:vol.9/no.3

MASSACHUSETTS PROBATION

BULLETIN FROM THE OFFICE OF THE COMMISSIONER OF PROBATION

Volume 9, Number 3 September 15, 1974

RESTRUCTURING MANAGEMENT PATTERNS OF EXISTING PROBATION DEPARTMENTS

by Ann Cronin

Featured at the recent conference of the National Institute of Crime and Delinquency was a workshop discussion about "Restructuring Management Patterns of Existing Probation Departments." The workshop was moderated by William J. Connors, Chief Counsel, Massachusetts Department of Youth Services and its panel members were Herbert Sigurdson, Executive Deputy Director, Youth Care Program, Boys Town, Nebraska; Dr. Alvin W. Cohn, Administrator of Justice Services, Inc., Maryland Planning Research Corporation, Virginia; and Donald L. Chamlee, Assistant Chief of Probation, Administrative Office of the U.S. Courts, Washington, D.C.

Herbert Sigurdson defined probation as an "art" rather than a science. Probation officers do not have any supportive scientifically valid body of knowledge, Sigurdson said, and he "still finds probation services based upon a disparate hodge-podge of philosophies...and ...practices." Moreover, he stated that the probation services have been "fraudulent" in some basic assumptions about their clients.

One of the basic "fraudulent" assumptions is that offenders are "pathologically ill, inadequate, untrustworthy, and deviant." Sigurdson rebutted this with the opinion that most people have committed some crime at some time in their life, and do not consider themselves "pathologically ill." As for deviance, Sigurdson agreed with criminologist Albert Cohen "that if a boy is brought up in a criminally-oriented subculture, it is a healthy adjustment for him to become a criminal," and this behavior should not be regarded as deviant. Moreover, if such an assumption were true, then "all probation personnel should be highly-trained psychologists and behavioral scientists." Since, obviously, all probation officers do not fall into this category, Sigurdson held that a better priority would be to restructure the environment of offenders, rather than the people who live there.

Turning from invalid client assumptions, Sigurdson listed "fraudulent" organizational assumptions:

1.) Probation officers are professionals who should work from 9:00 am to 5:00 pm.

Sigurdson stated that probation officers should be more accessible to clients, and that would mean working hours during the evening. Another part of the professional ideal is that "involvement with a client will somehow bring about a change in his character." Even if the assumption were true, said Sigurdson, the extremely small amount of time most probation officers spend with offenders and the small interpersonal interaction involved would prohibit that result.

2.) Probation officrs should be specialists in one particular area of probation.

Sigurdson cited a trend in which offenders must pass through numerous phases, such as intake, investigation, etc., before being associated with a probation officer on a continuing basis. This, he contends, results in "fractionated" service.

3.) Standardization of Services.

Sigurdson felt that formal rules and regulations which restrict a probation officer from doing creative and innovative work with clients is detrimental to the service. He contended that there is "no one best way," and that officers should be free to try new approaches with clients who seem to need individual treatment. He suspected that such rules were, in fact, promulgated more by a need to protect the organization than to provide services for clients.

4.) Career Advancement.

Sigurdson labeled this assumption the "most devasting" block to true client service. He decried paper work which he said was demanded by supervisors as a measure of probation officer achievement. Pleasing the supervisor and the need to be promoted can be a trap.

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Editor: Michael Hutner Assistant Editor: Ann Cronin

The bulletin is published quarterly for the information of the Probation Service, the Judiciary, and the interested public. Correspondence should be sent to: Editor, Room 206, New Court House, Boston, MA 02108.

Publication Number:6351
(10-1000-9-1974)

Approved by Alfred C. Holland
State Purchasing Agent

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he said, which results in a "satisfied bureaucraey and dissatisfied clientele population."

In closing, Sigurdson offered three recommendations to probation management personnel:

1) "Open up" as managers and administrators; tap all resources available to provide services for elients; allow probation offieers to think for themselves and develop ereative programs on their own.

2) Set aehievable elient goals whieh give the elient a sense of aeeomplishment.

3) Establish a data colleetion system to provide feedback for evaluation of all programs and goals.

The seeond diseussant was Dr. Alvin W. Cohn, who strongly agreed with Sigurdson on the issue of professionalism. Dr. Cohn deseribed most eurrent court probation serviees as a "c.y.a." operation. He claimed that the probation serviee laeks the self-policing, ethies and standards found in "professional" fields.

Dr. Cohn reeommended the adviee of Edwin Schur in his book, Radical Non-Intervention: "leave elients alone...quit messing around with them," to avoid the self-fulfilling prophecy of labelling most clients "siek" and in need of help. He disputed the small easeload theory, deelaring that most offenders do not need "radieal intervention," but, instead, ean be "left alone." Though not eiting eases, Dr. Cohn said that the small easeload was a "dismal failure." If anything, he deelared, "the smaller, the easeload, the higher the revoeation rate." In any case he said, most administrators do not really want small easeloads beeause then they eould not ask for more money and personnel for their offiees. Dr. Cohn advoeated the re-edueation of some of our judges toward the view that some offenders "do not need probation, at all. Let them be!"

Expanding further on points already expressed by Sigurdson, Dr. Cohn took issue with the term "eriminal justiee system" beeause that implies a group of people working toward a eonsensual goal. This is not true in the probation serviee, said Dr. Cohn. Some elements are coneerned with the proteetion of soeiety and some with the rehabilitation of the offender.

There is also, said Dr. Cohn, a eonfusion between organizational aehievement and elient sueeess, i.e., should the number of typewriters, staff members, eases "solved," ete., be eounted or how many offenders have been really rehabilitated? Too many administrators, said Dr. Cohn, "also confuse the differenee between responsibility and accountability." Responsibility, he said, may be shared with others, but aeeountability belongs to the administrator alone. As a eonsequenee, too many of those in eommand have used as their motto, "Don't roek the boat," instead of measuring sueeess in terms of meaningful rehabilitation of their elientele.

Traeing the history of criminology, Dr. Cohn said that its evolution could be summed up in the four "R's": retribution, reform, rehabilitation and the eurrent theory of reintegration. However, Dr. Cohn described "reintegration" as a fraud. No integration of an offender into the eommunity is possible, he deelared, without involving the eommunity in the treatment of the offender and without giving the eommunity a voice in the formulation of poliey. Too many administrators, he said, have told him that they are not ready for this sharing of responsibility, yet fail to realize that it is one way of overeoming eommunity hostility towards half-way houses and treatment programs. Clients, he said, view treatment programs as "just another way of moving you about to keep you quiet.

In summation, Dr. Cohn identified two forms of pressure eneountered by administrators, - internal, probation and clientele pressure; and external, such as police, proseeutor and judieial pressure. He recommended "meaningful researeh and evaluation" to determine if administrators, in responding to these pressures, were, in faet, producing real serviee to elients.

The third discussant, Donald L. Chamlee, gave an entirely different point of view. Basing his remarks on the Federal probation system, where probation officers are under eivil serviee, he said that ereativity and flexibility sueh as that advocated by Sigurdson and Dr. Cohn would be diffieult beeause of eivil serviee restrictions, tenure and budget limitations. While he agreed with his fellow panelists about the general lack of measurable goals, he noted that although a bureaucracy such as civil service produced a lack of willingness to be aggressive, it does result in "getting the work done." However, under sueh a system, innovation or competition, (what he called the "instinct for the jugular") just isn't there. The key problem in this area, as he saw it, was the failure of federal evaluative programs. He excoriated those sueh as PPB (Program Planning and Budgeting) and MBO (Management by Objective) saying they used "millions of man hours" and produced "no results."

He had several reeommendations for organizational ehanges, sueh as objeetive reeruitment; management promotion by merit, not by seniority; development of a method of recognizing people who merited promotion; development of a flexible job deseription; development of an internal training program; placement of staff in external programs (get them out on the road); development of lateral transfer programs from one court to another; and greater eommunity aeeessibility to probation. To put some of these changes in operation, he favored what he ealled radical ehange even if it brought eriticism.

However, even without these recommended changes, he said the Federal Probation Serviee works very well because it is built upon a flat organizational structure with very little hierarehy. Federal officers, eonsequently, have very little supervision. They are highly paid, and are expected to be highly motivated.

Mr. Chamlee favored involving the entire staff in planning sessions, making everyone aware of plans, implementation, and budgeting processes. He favored team probation and viewed community participation in offender rehabilitation as the only hope for permanent reintegration. Above all, he favored putting the probation offieers on the street because "that's where the action is."

Chamlee faced sone strong rebuttal from his two co-panelists. Sigurdson asked how merit promotions would be determined, and if it were not, in reality, another phrase for "your relationship with the boss." He scored the laek of tangible standards for promotions and said he favored evaluation of officers by their colleagues and also by their elientele. Dr. Cohn also mentioned the need to define more closely "merit" in probation.

GOVERNOR SIGNS NEW LEGISLATION

The Commissioner wishes to call to your attention, recent legislation signed by the Governor which is of interest to the probation service.

Chapter 614
An Act AUTHORIZING CERTAIN COURTS TO PLACE CERTAIN PERSONS IN CARE OF PROBATION OFFICERS

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 276 of the General Laws is hereby amended by striking out section 87, as most recently amended by section 81 of chapter 925 of the acts of 1973, and inserting in place thereof the following section:-

Section 87. The superior court, any district court and any juvenile court may place on probation in the care of its probation officer any person before it charged with an offense or a crime for such time and upon such conditions as it deems proper, with the defendant's consent, before trial and before a plea of guilty, or in any case after a finding or verdict of guilty; provided, that, in the case of any child under the age of seventeen placed upon probation by the superior court, he may be placed in the care of a probation officer of any district court or of any juvenile court, within the judicial district of which such child resides; and provided further, that no person convicted under section twenty-two A or twenty-four B of chapter two hundred and sixty-five or section thirty-five A of chapter two hundred and seventy-two shall, if it appears that he has previously been convicted under said sections and was eighteen years of age or older at the time of committing the offense for which he was so convicted, be released on parole or probation prior to the completion of five years of his sentence.

Chapter 525
An Act RELATIVE TO THE SEALING OF CRIMINAL FILES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 276 of the General Laws is hereby amended by striking out section 100A, added by section 1 of chapter 686 of the acts of 1971, and inserting in place thereof the following section:-

Section 100A Any person having a record of criminal court appearances and dispositions in the commonwealth on file with the office of the commissioner of probation may, on a form furnished by the commissioner and signed under the penalties of perjury, request that the commissioner seal such file. The commissioner shall comply with such request provided (1) that said person's court appearance and court disposition records, including termination of court supervision, probation or sentence for any misdemeanor occurred not less than ten years prior to said request; (2) that said person's court appearance and court disposition records, including termination of court supervision, probation or sentence for any felony occurred not less than fifteen years prior to said request; (3) that said person had not been found guility of any criminal offense within the commonwealth in the ten years preceding such request, except motor vehicle offenses in which the penalty does not exceed a fine of fifty dollars; (4) said form includes a statement by the petitioner that he has not been convicted of any criminal offense in any other state, United States possession or in a court of federal jurisdiction, except such motor vehicle offenses, as aforesaid, and has not been imprisoned in any state or county within the preceding ten years; and (5) said person's record does not include convictions of offenses other than those to which this section applies. This section shall apply to court appearances and dispositions of all offenses provided, however, that this section shall not apply in case of convictions for violations of sections one hundred and twenty-one to one hundred and thirty-one H, inclusive, of chapter one hundred and forty or for violations of chapter two hundred and sixty-eight or chapter two hundred and sixty-eight A.

Chapter 531
An act, PROHIBITING UNLAWFUL DISCRIMINATION BY EMPLOYERS REGARDING THE USE OF CERTAIN CRIMINAL RECORDS OF EMPLOYEES OR APPLICANTS FOR EMPLOYMENT.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:-

Section 4 of chapter 151B of the General Laws is hereby amended by striking out subsection 9, as amended by chapter 428 of the acts of 1972, and inserting in place thereof the following subsection:-

9. For an employer, himself or through his agent, in connection with an application for employment, or the terms, conditions, or privileges of employment, or the transfer, promotion, bonding, or discharge of any person, or in any other matter relating to the employment of any person, to request any information, to make or keep a record of such information, to use any form of application or application blank which requests such information, or to exclude, limit or otherwise discriminate against any person by reason of his or her failure to furnish such information through a written application or oral inquiry or otherwise regarding: (i) an arrest, detention, or disposition regarding any violation of law in which no conviction resulted, or (ii) a first conviction for any of the following misdemeanors: drunkenness, simple assault, speeding, minor traffic violations, affray, or disturbance of the peace, or (iii) any conviction of a midemeanor where the date of such conviction or the completion of any period of incarceration resulting therefrom, whichever date is later, occurred five or more years prior to the date of such application for employment or such request for information, unless such person has been convicted of any offense within five years immediately preceding the date of such application for employment or such request for information.

No person shall be held under any provision of any law to be guilty of perjury or of otherwise giving a false statement by reason of his failure to recite or acknowledge such information as he has a right to withhold by this subsection.

cont. on page 5

JUDGE MURRAY UPHOLDS PLEA BARGAINING

by Ann Cronin

One of the more lively and informative workshops at the recent National Institute for Crime and Delinquency held at the Statler Hilton Hotel on June 23, explored the timely and controversial subject of plea bargaining. Moderated by Arnold Rosenfeld, Executive Director of the Massachusetts Committee on Criminal Justice, the panel included the Honorable Florence Murray, Associate Justice of the Rhode Island Superior Court, William Cahn, District Attorney of Nassau County, New York and Thomas J. Herbert, attorney for the Massachusetts Defenders Committee, Boston.

Judge Murray, who has served on the Rhode Island Superior Court bench for nineteen years, said that plea bargaining is widespread in state courts. In her opinion, the most compelling justification for its existence is the overcrowding of judicial calendars. Trying to alleviate this logjam by traditional methods is equivalent to "brushing back a flood with a broom," said Judge Murray.

She listed five considerations in her decision to accept a negotiated plea. These are:

1. The defendant-what happens to him?
2. The defense attorney - what are his views?
3. The prosecutor - what does he think?
4. The victim of the crime - what happens to him?
5. The police - what are their opinions?

The diverse views of each of these people are exchanged at a preliminary session which she likened "to an old fashioned telephone party-line," in which every one listens to everyone else. One surprising observation - she has found that older rather than younger policemen are receptive to plea bargaining. The background information in the bargaining session is supplied by the Rhode Island Probation Department, which Judge Murray considered invaluable in carrying out such hearings.

William Cahn, prosecuting attorney for New York's Nassau County, thought that the term "plea bargaining" was, in itself, a detriment to the process. He favored calling such negotiations "clemency discussions," a phrase which carries a more acceptable connotation to the general public. Correcting what he said was a public misconception, he pointed out that while a trial by jury is guaranteed by the U.S. Constitution, it is not mandated by that document, so that negotiated pleas of guilty are perfectly acceptable as a legal means of resolving a criminal charge. He said he was aware that some of his professional colleagues threatened longer sentences if the defendant wanted a jury trial, but insisted that such prosecutors were few.

Cahn explained that in New York, a justice always asks a person who pleads guilty to describe the crime. This is a perfect guard against an innocent person pleaing guilty to a crime he did not commit. In conclusion, Cahn described plea negotiation as resting on a "very shaky foundation," but said that it should be approached on a basis of mutual trust.

Thomas J. Herbert, attorney for the Massachusetts Defenders Committee, agreed with Cahn that the term "plea bargaining" derives some of its unsavory connotation from the phrase itself. Changing the term, he thought, might make the process more acceptable to everyone. Plea negotiation as practiced today is sometimes invisible and, at best,

cont. on page 6

SUFFOLK COUNTY BAIL PROJECT PROVIDES ESSENTIAL LEGAL SERVICE

Directed by Thomas Stanton

The Suffolk County Bail Project renders essential legal service to indigents according to its director, former probation officer Thomas Stanton. The project which will soon begin its third year has helped 1100 defendants appeal their bail. In 650 appeals, according to Director of Research, Kit Sullivan, the court either reduced bail or permitted release on personal recognizance.

Why the need for a bail project? In a recent interview, Stanton pointed out that in both district and superior courts between arraignment and assignment of counsel, there exist a legal aid limbo. The indigent defendant, who is bound over to a grand jury, has not yet been provided with superior court-appointed representation and therefore has no attorney to argue for reduced bail. Not having sufficient funds to post bail, the defendant is jailed.

Jailing an accused person before determining whether he is guilty costs the taxpayers of Suffolk county about $10 per day. It stops the defendant from supporting himself and his dependents. It also hinders preparation of his legal defense. If the defendant has, in fact, committed a crime, locking him up delays a possible beginning toward rehabilitation.

The Bail Project is funded by an LEAA grant obtained by Suffolk County Sheriff Thomas Eisenstadt, and is the only one of its kind in the Commonwealth. Working out of an office in the Charles Street Jail, project staff interview detainees who wish to appeal bail. The staff assemble the necessary forms and make certain that the defendant appears before the Superior Court judge. Either Stanton, a graduate of Suffolk University Law School or Gerard Kineen, an attorney, presents the defendant's case.

Recently, Stanton has been urging that judges require that defendants post cash bail rather than surety, when release on personal recognizance is not granted. The amount of cash bail suggested is equivalent to 10% of the surety or exactly the percentage of surety required by professional bondsmen. Unlike the 10% commission paid to bondsmen, however, the equivalent cash bail would eventually be refundable to the client.

Stanton outlined a growing connection between his efforts to secure defendant releases and the probation office role in rehabilitation. He urged that judges, in many cases, could substitute immediate conditional release for present bail requirements with the possibility of case continuance and eventual dismissal, if rehabilitation is effective.

TRANSCENDENTAL MEDITATION SUGGESTED FOR PROBATION

Researched by Beatrice Taylor

Is the Massachusetts Probation Service ready for transcendental meditation (TM to insiders)? Well, if it's not, it should be. At least, that is the opinion of Barbara Foster, probation officer of the Middlesex Superior Court. Barbara is an enthusiastic practitioner of TM and has been a meditator for four years.

She thinks that TM can be a valuable tool in the rehabilitation of at least some probationers, stressing, however, that any client program would have to be voluntary since meditation is of no value unless it is studied with an open mind. Barbara would like to recommend TM to her probationers, saying, "TM gives a person the ability to help himself and the inner strength to rebuild. When TM is combined with our other programs, the probationers would have a much better chance of success."

Moreover, Barbara thinks her colleagues should try meditating as she does. She puts it this way, "Ours is a fatiguing job, and I think TM could be beneficial in this area. Plus, o' icers really couldn't recommend TM unless they know more about it."

For the uninitiated, Barbara explains that transcendental meditation returned to popularity through a Hindu monk, Maharishi Mahesh Yogi, who came to the United States from India during the 1960's. The intellectual framework surrounding this method of meditation is called the "science of creative intelligence," which Barbara says is a "viable way of using all of our mental potential." It should be stressed that TM is not a religion. There are no rites other than sitting down comfortably twice a day for fifteen to twenty minutes to practice the technique.

Is the method difficult to learn? Its practitioners say no. The teaching procedure begins with two introductory lectures. Next comes an hour of individual instruction at which time each person is assigned a "mantra" or sound which has no meaning. Three days of group discussion with other new meditators completes the course. Then, the new practitioner is on his own. However, he is followed up for two years with regular check-ups.

What he has learned is described as merely a technique of achieving deep rest. This is brought about by sitting in a comfortable upright position, eyes closed, and "mind drifting as effortlessly as possible toward his 'mantra.'" A simultaneous physical reaction develops, decreasing oxygen consumption by 17% and causing the metabolic rate, breath rate, and cardiac output also to decrease. In spite of this slowing of the bodily functions, the mind remains alert, producing a condition which is known as "restful alertness." Twenty minutes of this twice a day and the meditator emerges, it is claimed, refreshed and free from stress.

Scientists Interested

How or why these changes take place, no one really knows. Scientists are trying to find the answer, however. Several prestigious publications such as the American Journal of Physiology and Scientific American contain articles detailing research on TM by physicians Herbert Brown and R. Keith Wallace of Harvard.

One area in which the doctors conducted research was among drug users of all types. A study of 1,862 meditators showed that drug usage was reduced when meditation was practiced. Research in this area is continuing and its results will soon be available.

Of particular interest to penologists and others in the criminal justice field is research involving prison inmates. A completed project at a Minnesota State Prison showed that meditating inmates exhibited "reduced feelings of aggression and hostility." Social behavior was improved considerably and rules infractions diminished about 50% among the group.

A more comprehensive study is presently being conducted by the Federal Correctional Institution at Lompoc, California, funded by a $25,000 grant from a charitable institution. This study involves over 180 inmates and will record and evaluate numerous physiological and psychological experiments.

New Therapy

In spite of these tentative beginnings, there are still a large number of skeptics, including many in the criminal justice field. It is hard for experienced personnel in probation or parole to understand how a skinny, bearded individual, spouting what many consider mumbo-jumbo, could develop a therapy for rehabilitation which might succeed where more traditional methods have failed. However, although Maharishi Mahesh Yogi is the chief exponent in the modern world, this technique is thousands of years old.

There are those who think that the whole idea is a fad. If it is, it is a big one, since 400,000 people in the United States practice meditation and the number is increasing every day. In fact, practitioners run the gamut from drug addicts to athletes, legislators and clergymen of all denominations.

Certainly, Transcendental Meditation is not the cure-all for all behavior problems. But in many cases, it works, and that, proponents say, is the important test.

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cont. from page 3 - Legislation

Nothing contained herein shall be construed to affect the application of section thirty-four of chapter ninety-four C, or of chapter two hundred and seventy-six relative to the sealing of records.

Chapter 781

ACTS OF 1974, AN ACT ESTABLISHING A DISTRICT COURT PROCEDURE TO DIVERT SELECTED OFFENDERS FROM THE DISTRICT COURTS TO PROGRAMS OF COMMUNITY SUPERVISION AND SERVICE.

This bill amends the General Laws by adding a Chapter 276A. The new chapter gives the District Courts and the Boston Juvenile Court jurisdiction, subject to authorization by the Office of the Commissioner of Probation, to divert to a program of community supervision first offenders between 17 and 22 years of age who have received a recommendation from such a program that they would benefit from participation in said program.

CAMBRIDGE PROBATION OFFICERS USE CASE CLASSIFICATION

Researched by Charles Schwede

Editor's Note: This article, the second in a series, describes the case classification procedures used by the Third District Court of Eastern Middlesex, Cambridge.

"Case classification is a way to reinforce or alter initial judgments about clients. There is no longer a need to rely solely on instinct and experience," according to Joe Amoroso, Probation Officer in the Third District Court of Eastern Middlesex, Cambridge.

Amoroso is one of the probation officers in the Cambridge District Court who is using the classification system developed by Marguerite Warren and her associates in California. "Frequently, there is an aversion to testing and labelling someone," said Amoroso, "but we're very comfortable with this system."

"Classifying offenders has several advantages," explained Amoroso and fellow probation officer, Paul Camposano. "It helps differentiate offenders on a basis other than offense. You can have one addict totally different from another addict," said Camposano.

CLIENTS SCREENED

The system also screens out probationers with special problems which require referrals to specialized resources. Probationers with reading problems are seen by reading specialists, for example, and those with emotional problems are referred to the court clinic.

The Warren classification system is one of several being used nationwide. David Lelos, Cambridge District Court Clinic psychologist, explained that Warren's method assumes that behavior depends on an individual's "conceptual complexity." Conceptual complexity refers to a person's ability to perceive himself and his relation to the world at an interpersonally mature level. This capacity is independent of intelligence.

The Warren system uses a seven-step scale, Lelos said. Within each step or interpersonal maturity level, he can be further classified according to the way in which he responds to his perceptions. For example, clients at a lower level tend to see the world in defined, rather than subtle ways. But within that specific levels, some may react by complete conformity, (especially to criminal friends), while others at the same level can be characterized as manipulators, or those who want to "beat the system."

TREATMENT DIFFERS

The attitude of the probation officer toward his client should differ according to client level and sub-type, explained Lelos. For example, with the manipulator, it is necessary to set up clear strong controls. With the conformist, a clear structure is also necessary, but the probation officer should, to a greater degree than in the case of the manipulator, project a non-threatening encouraging image.

In order to determine the level of conceptual complexity, all probationers are given two tests - a sentence completion test and a personality inventory test. These are forwarded to a computer and scored. The results are returned to the probation officer. With the level and subtype of the subject determined, the probation officer can formulate his goals for achieving client progress.

Can any probation office establish a case classification system? Chief Tony DiNatale thinks it is possible, but very much would depend upon the ability of the instructor who is introducing the system. Probation officers would need six or seven months of twice-weekly training. "The training," DiNatale said, "was a tremendous learning experience for everyone, including myself." Both the Chief and his probation officers in the Third District Court of Eastern Middlesex, Cambridge, anticipate that the new system will lead to more effective case management.

COURT INTERPRETS CONDITIONS OF PROBATION

From JUVENILE COURT DIGEST, NCJCJ - Vol. 6, No. 2, April, 1974. In re W. (California Court of Appeal, 105 Cal Rptr 775 - 1973)

A juvenile case holding, among other matters, that the guidelines governing the reasonableness of adult probation conditions are also applicable to juveniles.

"Finally, Christopher protested the condition of probation that prohibited him from driving an automobile. The court noted that the juvenile probation statute had never been interpreted, but decisions interpreting the very similar adult probation statute had held invalid conditions of probation which bear no relationship to the crime involved, related to conduct that was not itself criminal, and require or forbid conduct not reasonably related to future criminality.

Applying these tests, the court said that the charge of possession of marijuana had no relationship to cars and driving, and driving was not illegal or necessarily connected with future criminality.

For these reasons, the court said the prohibition against driving did not serve the statutory ends of probation and was unreasonable, although in an appropriate case a court might decide that the ends of reformation and rehabilitation might be served by denying a juvenile the use of a car.

The juvenile court order was affirmed, and the conditions of probation were modified."

cont. from page 4 - Plea Bargaining

informal. There are no widely accepted standards, he said, to provide guidance and some degree of nationwide uniformity.

Herbert also agreed that meetings such as Judge Murray holds in her court, were an excellent idea,. saying that such communication "can save time.....and also serve the interests of the public." He concurred with District Attorney Cahn that, if properly conducted, plea bargaining can be better than "bargain basement justice," and under the right conditions, he said, it may be the "first opportunity to temper justice with mercy" in dealing with offenders.

SHORT NOTES:

A one-day convention on juvenile justice co-sponsored by the Massachusetts League of Women Voters, the Massachusetts Bar Association and the Massachusetts Council for Public Justice will be held at John Hancock Hall, 180 Berkeley Street, Boston, on November 21, 1974 from 9:00 a.m. to 3:00 p.m. Probation officers are invited to attend. Conference tickets and luncheon tickets are each $4.00 and can be obtained from Ms. Linda Johnson, School of State Affairs, 7 Potter Road, Framingham, MA. 01701.

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The newly passed pre-trial diversion bill sets forth several clearly defined program functions. It also provides the flexibility to allow for individual courts to adopt a diversion model that would respond to the need of that court.

If you are interested in receiving copies of the legislation or in discussing its implications for Probation, contact Program Planning and Management Unit Staff members Bill Dow or Joan Sommer at 727-4792 or 4177.

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PROBATION OFFICERS URGED TO REPORT DRUG NAMES

Chief Probation Officers and Probation Officers-in-Charge are reminded to report on Form CP 1 complete details on all cases involving controlled substances. While cooperation generally has been excellent and almost all offices note the classification of drug involved, a number of courts are failing to note the specific name of the drug.

The specific name of the drug(s) involved is especially important to a drug monitoring study which the research department of the Office of the Commissioner of Probation hopes to continue. The legal classification, by itself, is not adequate. Included in Class B drugs, for example, are amphetamines, methadone, barbiturates and cocaine. Without having information on the specific drug involved, it would be impossible, for example, to summarize any increase or decrease in cocaine offenses.

Your cooperation, therefore, is urgently needed. The results of the drug monitoring study will be published in future issues of the Quarterly.

SHORT NOTES:

The Norfolk County Juvenile Probation District was dissolved July 1, 1974 and the following personnel were transferred to the courts listed below:

Dedham District
Maurice Guberman, Assistant Chief
John R. Killion
Thomas J. Mitchell
Susan R. Zuker

Stoughton District
Thomas G. Cavanaugh, Assistant Chief
Ellen R. Russell

Wrentham District
Thomas J. Dolan
Anne M. McGovern

JOB OPPORTUNITIES FOR PROBATIONERS

On Wednesday, September 25, 1974 from 10:00 a.m. to 6:00 p.m., in the Hynes Auditorium, Boston, approximately 175 local and national companies will conduct a one-day search for possible employees from among the probation population of the surrounding area. Skilled interviewers will be on hand to talk with any person on probation who is interested in obtaining employment. Probation officers are asked to alert any of their probationers who might fit into this category.

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Effective July 29, 1974, the Worcester Juvenile Court will be located at 75 Grove Street, Worcester, Mass.

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DRUG ABUSE EDUCATION SCHOOL

The Department of the Attorney General in co-operation with the Office of the Commissioner of Probation announces a series of Narcotic and Drug Abuse Education Schools to be held in the coming year. Those probation officers wishing to attend should contact Mr. Dennis M. Sullivan and Mr. Robert Hanlon, Department of the Attorney General, Drug Abuse Division, 131 Tremont Street, Boston, MA 02111 telephone (617) 727-2207. Probation officers are reminded that they must first receive clearance by the presiding Justice and Chief Probation Officer of their court. A schedule of the schools to be held follows:

Date	Institution	Place	Academic Credits
1974			
Sept. 16-26	Framingham State College	Framingham	3
Oct. 21-Nov. 1	Bristol Community College	Fall River	3
Nov. 11-21	Quinsigamond Community College	Worcester	3
Dec. 2-12	Massasoit Community College	Brockton	3
1975			
Jan. 6-16	Bunker Hill Community College	Charlestown	3
Jan. 20-30	Northern Essex Community College	Haverhill	3
Feb. 10-21	Mt. Wachusett Community College	Gardner	3
Mar. 10-20	Holyoke Community College	Holyoke	3
Apr. 7-17	Massachusetts Maritime Academy	Buzzards Bay	3
May 5-15	Berkshire Community College	Pittsfield	3

CHANGES IN PERSONNEL

DESIGNATIONS AS CHIEF PROBATION OFFICER

Albert P. Brown, District Court of Franklin, Greenfield, effective July 1, 1974

John D. Chapman, Second District Court of Barnstable, Orleans, effective July 1, 1974.

Paul A. Ladas, Superior Court for the County of Plymouth effective June 12, 1974.

DESIGNATIONS AS ASSISTANT CHIEF PROBATION OFFICER

Herman J. Dumas, First District Court of Eastern Worcester, Westborough, effective July 1, 1974.

Robert A. Pasakarnis, Superior Court for Plymouth County, effective July 1, 1974.

Richard S. Peterson, District Court of Fitchburg, effective July 1, 1974.

PERMANENT APPOINTMENTS

James M. Agoglia, Plymouth Juvenile Probation District, effective May 1, 1974.

Michael J. Buffone, Worcester Juvenile Court, effective June 10, 1974.

Robert E. Campbell, Old South Road, Nantucket, District Court of Nantucket, effective May 14, 1974, a graduate of Boston College with a J.D. degree from Boston College Law School

David M. Chernok, District Court of Springfield, effective June 1, 1974.

Tena M. Coley, Second District Court of Bristol, Fall River, effective July 1, 1974.

Michael S. Cowan, First District Court of Eastern Middlesex, Malden, effective June 1, 1974, a graduate of Tufts University, with M. Ed. from the University of Pittsburgh, and a former court screener for the Boston Court Resources Project.

Kathryn G. Cowles, Second District Court of Plymouth, Hingham, effective June 1, 1974.

Jeremiah F. Driscoll, District Court of Holyoke, effective July 1, 1974.

Robert P. Gordon, District Court of Western Norfolk, Wrentham, effective May 26, 1974.

John E. Graham, District of Eastern Essex, Gloucester, effective June 10, 1974.

William L. LaPointe, District Court of Chicopee, effective May 13, 1974.

John F. McDermott, District Court of Fitchburg, effective June 10, 1974.

Keith E. McDonough, Central District Court of Essex, Haverhill, effective May 2, 1974.

James F. Poirier, Middlesex Juvenile Probation District, effective July 1, 1974.

Nicholas J. Ricciuti, Middlesex Juvenile Probation District, effective July 1, 1974.

Donald R. Rodrique, District Court of Holyoke, effective July 1, 1974.

John J. Scannell, District Court of Holyoke, effective July 1, 1974.

Brian T. Tivnan, First District Court of Eastern Worcester, Westborough, effective July 7, 1974.

TEMPORARY APPOINTMENTS

Richard W. Chase, 127 Church Street, East Harwich, Second District Court of Barnstable, Orleans, effective July 15, 1974, a graduate of Boston University and a former youth and safety officer for the Chatham Police Department.

James R. Colgan, 267 Crescent Street, Northampton, District Court of Franklin, Greenfield, effective July 1, 1974, a graduate of Assumption College.

Christine M. Farrell, 170 Pond Street, Rockland, Plymouth Juvenile Probation District, effective June 17, 1974, a graduate of Boston State College and a former juvenile parole agent.

Ellen F. Genereux, 1939 Commonwealth Avenue, Brighton, Municipal Court of the Roxbury District, effective June 19, 1974, a graduate of the University of Connecticut, with an M.S.W. from Simmons College.

Richard I. Hill, 100 Hancock Street, Springfield, Springfield Juvenile Court, effective July 15, 1974, a graduate of Norfolk State College, Virginia, and a former supervisor of volunteer services.

John H. Mezzetti, R.F.D., Edgartown, First District Court of Barnstable, Barnstable, effective May 1, 1974, a graduate of St. Anselm's College with an M.S.W. from Catholic University.

John F. O'Neill, 37 Irvington Road, Somerville, District Court of Marlboro, effective June 1, 1974, a graduate of Salem State College with an M.S.W. from Boston College School of Social Work.

cont. on page 9

PROBATION OFFICERS AWARDED ORIENTATION CERTIFICATES

Congratulations to the following officers who have completed the requirements of the Probation Officer Orientation Training Program, held June 3-7, 1974 at the Worcester County House of Correction, West Boylston and June 10-14, 1974 at the State Police Training Academy, Framingham, and have been awarded a course completion certificate.

Joseph R. Aberdale	Springfield Juvenile
Walter J. Avis	Worcester Probate
William J. Barrett	Boston Juvenile
Charles R. Benedict	Plymouth District
Julius H. Britto	Wareham District
Michael J. Buffone	Worcester Juvenile
William H. Burke	Northampton District
Joseph M. Connolly	Middlesex Probate
Jack C. Coombs	Leominster District
Kathryn G. Cowles	Hingham District
Edward P. Dalton	Norfolk Superior
Ann E. Gilboard	Framingham District
Thomas J. Ginley	Springfield Juvenile
Tedeedra Healy	No. Worc. Juv. Dist.
Peter A. Hoffman	Lynn District
Joyce Johnson	Clinton District
Raymond Jolicoeur	Dudley District
Mary A. King	Worcester Juvenile
Paul R. Kingston	Franklin-Hampshire Superior
Edward J. Kraus	Springfield Juvenile
William L. LaPointe	Chicopee District
Mark F. Lynch	Haverhill District
Edith V. Mace	West Roxbury Mun.
John L. Mansfield	Plymouth Superior
Terri Marino	Boston Juvenile
John J. McCarron	Ayer District
John F. McDermott	Fitchburg District
D. Bruce Miller	Marlborough District
Thomas J. Mitchell	Dedham District
Diana O'Dell	Charlestown Mun. (ASAP)
William W. O'Neil	Fitchburg District
Jonathan C. Randall	Framingham District
Nicholas F. Ricciuti	Middlesex Juv. Dist.
Joan M. Rockett	Norfolk Superior
Christine A. Siragusa	Waltham District
Paul Smith, Adm. Ass't	Middlesex Juv. Dist.
Brian Tivnan	Westborough District

cont. from page 8 - Personnel

Lloyd Parham, 75 Crestwood Park, Roxbury, Municipal Court of Dorchester, (TASC), effective July 1, 1974, a graduate of Northeastern University and a former conflict management specialist.

Mary Ellen Saracco, 2 Prospect Street, Springfield, Superior Court for Hampden County, effective June 3, 1974, a graduate of the University of Massachusetts and a former drug therapist for the Hampshire Correctional Services.

Michael C. Smith, 199 Concord Street, Framingham, Essex County Probate Court, effective June 3, 1974, a graduate of the University of Massachusetts.

RESIGNED

Deborah L. Thaxter, First District Court of Barnstable, Barnstable, effective April 30, 1974.

Gloria E. George, Plymouth Juvenile Probation District, effective June 15, 1974.

LEAVE OF ABSENCE

Mary E. Murphy, Middlesex Juvenile Probation District, effective July 12, 1974.

TRANSFER

Frederick R. Naples, Suffolk Superior Court, to Norfolk Superior Court, effective July 1, 1974.

Brian W. Hurrie, Norfolk Superior Court to Plymouth Superior Court, effective July 1, 1974.

RETIRED

Ralph P. Marble, District Court of Nantucket, effective May 14, 1974. Mr. Marble entered the probation service in 1957.

IN MEMORIAN

Edward J. Burke, probation officer for the First District Court of Eastern Middlesex, Malden died on January 19, 1974. The Commissioner, his staff and the entire probation service extend sympathy to his family..

Congratulations to Bruce O'Donnell of the Ayer District Court who has completed the course of instruction in the Narcotic and Drug Education School conducted by the Department of the Attorney General in co-operation with the Office of the Commissioner of Probation at the Bristol Community College, Fall River, Massachusetts, on June 10-20, 1974.

FALL CONFERENCE TO BE HELD OCTOBER 22 - 23

A reminder that the probation officer annual conference will be held October 22 and October 23 at the Sheraton Hotel in West Springfield. The conference will feature interesting and important sessions and workshops. Plan to attend!

MASS J6.3:Vol.9/no.4

MASSACHUSETTS PROBATION

BULLETIN FROM THE OFFICE OF THE COMMISSIONER OF PROBATION

Volume 9 Number 4 December 15, 1974

PROBATION OFFICERS MEET AT SPRINGFIELD CONFERENCE

From left to right: Frank A. Hall, Commissioner of Correction; C. Eliot Sands, Commissioner of Probation; Hon. Alfred L. Podolski, Chief Judge of the Massachusetts Probate Court.

The Massachusetts Annual Probation Conference sponsored jointly by the Commissioner of Probation and the Committee on Criminal Justice was held on October 22-23, 1974 at the Sheraton Inn, Springfield, Massachusetts. The two-day conference was under the direction of Commissioner of Probation C. Eliot Sands, with Deputy Commissioners Angelo R. Musto and Francis J. Keough serving as Arrangements Chairmen and Richard J. Villa, Director of the Program Planning and Management Unit in the Office of the Commissioner, acting as Program Chairman. Registration was under the direction of Frederick J. Santarpio, Assistant to the Commissioner of Probation.

Featured as principal speakers were Matthew J. Ryan, Esq., District Attorney for Hampden and Berkshire Counties, Anthony P. Travisono, Executive Director of the American Correctional Association, Parker Hancock, Executive Secretary of the New England Correctional Coordinating Council, Inc., and Frank A. Hall, Masschusetts Commissioner of Correction.

A number of workshops were held on Tuesday, October 22 and repeated on Wednesday, October 23. Subjects discussed were: Probate Court Probation; Female Offender Pre-trial Diversion; Volunteers; Violation of Probation Procedures; The Place of Group Concept in Juvenile Probation; Current Theories of Investigations; and Data Processing and Probation. Some of the views which were expressed will be reported in this issue.

Two special sessions were held on Tuesday only. The first, a management meeting of the Chief Probation Officers, was moderated by Commissioner Sands. The second, a discussion of Parole and Corrections, was directed by Paul Chernoff, Chairman of the Massachusetts Parole Board, and Larry Solomon, Director of Classification, Department of Correction.

From left to right: Francis G. Keough, and Angelo R. Musto, Deputy Commissioners of Probation.

Editor: Michael Hutner Assistant Editor: Ann Cronin

The bulletin is published quarterly for the information of the Probation Service, the Judiciary, and the interested public. Correspondence should be sent to: Editor, Room 206, New Court House, Boston, MA 02108.

Publication Number:6351
(10-1000-12-1974)

Approved by Alfred C. Holland
State Purchasing Agent

LEGISLATION OF INTEREST TO PROBATION SERVICE IS ENACTED

The following legislation which is of interest to the probation service has recently been signed into law. Anyone wishing a copy of the complete text of a specific law may write to the Editor, Probation Magazine, 206 New Court House, Boston, Mass. 02108

Chapter 241 AN ACT Relative to the Administration of the Law Enforcement and Criminal Justice Training Fund, approved May 8, 1974.

a) Amends chapter 1228 of 1973 establishing a Massachusetts criminal justice training council to consist of ten voting ex-officio members, including the Commissioner of Probation, three non-voting ex-officio members and nine members appointed by the governor.

b) Authorizes the financing of criminal justice training programs by levying a special cost assessment of 25% on all fines imposed except those for minor motor vehicles offenses and delinquency offenses.

Chapter 300 AN ACT Providing for the Prompt Disposition of Cases Pending against Prisoners Involving Violation of Probation, approved June 4, 1974

Requires disposition within six months of any case of probation violation pending against a prisoner who has applied to the court for prompt disposition of his case.

Chapter 525 AN ACT Relative to the Sealing of Criminal Files, approved, July 11, 1974

Provides for the sealing of felony records in the Office of the Commissioner after a period of fifteen years upon fulfillment of certain conditions. Offenses which cannot be sealed include violations of Ch 140, sections 121-131 H, Ch 268 and Ch 268A.

Chapter 558 AN ACT Providing Cost of Living Salary Adjustments for the Justices and Certain Other Employees of the Courts of the Commonwealth, approved July 18, 1974. (see table below)

Chapter 614 AN ACT Authorizes Certain Courts to Place Certain Person in Care of Probation Officers, approved July 17, 1974.

Authorizes the superior court and any district or juvenile court to place a defendant on probation, if the defendant consents, without finding the defendant guilty of a crime.

Chapter 647 AN ACT Establishing an Alternative Procedure for the Disposition of Cases Involving Persons Convicted of Operating Motor Vehicles While Under the Influence of Intoxicating Liquor, approved July 29, 1974.

a) Provides for a voluntary probation period of one year for first offenders convicted of drunk driving with mandatory attendance at an alcohol education program at a fee of $200, and if necessary, an alcohol treatment program.

b) Takes effect July 1, 1975

c) Copies of Program Plan available at Division of Alcholism, 755 Boylston Street, Boston 02116.

Chapter 649 AN ACT Requiring a Minumum Mandatory Jail Sentence of One Year, Without Suspension, Probation or Parole, for the Unlicensed or Unauthorized Carrying of Firearms, Rifles, or Shotguns, Loaded or Unloaded, and Strengthening the Laws Related Thereto, Approved July 30, 1974

a) Among other changes amends section 10 of Chapter 269 by specifying, for sentencing purposes, three categories of dangerous weapons.

b) Takes effect January 1, 1975.

Chapter 682 AN ACT Providing a Temporary Shelter Care Program for Children, approved August 1, 1974.

Authorizes the Department of Public Welfare to provide 72-hour shelter care without parental consent for children under 18 whose welfare would be endangered, if such shelter care were not provided.

Chapter 781 AN ACT Establishing a District Court Procedure to Divert Selected Offenders from the District Courts to Programs of Community Supervision and Service, approved July 31, 1974.

a) Provides pre-trial diversion for a period of ninety days for first offenders between the ages of 17-22 to programs providing rehabilitation services, and authorizes judge to make exceptions.

b) Requires the Office of the Commissioner to certify, monitor and aid all such programs.

c) Establishes an advisory board to the Office of the Commissioner consisting of seven ex-officio members, a district court judge, and seven experts in the area of human services.

SALARY SCHEDULE FOR PROBATION OFFICERS
Effective January 1, 1974

Job Group	Step 1.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Step 7.	Increment
1	$12,373.40	$12,911.60	$13,449.80	$13,988.00	$14,526.20	$15,064.40	$15,602.60	$538.20
2	13,049.40	13,631.80	14,214.20	14,796.60	15,379.00	15,961.40	16,543.80	582.40
3	13,813.80	14,440.40	15,067.00	15,693.60	16,320.20	16,946.80	17,573.40	626.60
4	14,648.40	15,295.80	15,943.20	16,590.60	17,238.00	17,885.40	18,532.80	647.40
5	15,410.20	16,107.00	16,803.80	17,500.60	18,197.40	18,894.20	19,591.00	696.80
6	16,263.00	17,006.60	17,750.20	18,493.80	19,237.40	19,981.00	20,724.60	743.60
7	17,183.40	17,947.80	18,712.20	19,476.60	20,241.00	21,005.40	21,769.80	764.40
8	18,038.80	18,844.80	19,650.80	20,456.80	21,262.80	22,068.80	22,874.80	806.00
9	18,894.20	19,747.00	20,599.80	21,452.60	22,305.40	23,158.20	24,011.00	852.80
10	19,656.00	20,550.40	21,444.80	22,339.20	23,233.60	24,128.00	25,022.40	894.40
11	20,576.40	21,499.40	22,422.40	23,345.40	24,268.40	25,191.40	26,114.40	923.00

COURT DIVERSION PROGRAMS

By Norman Green

Editor's Note: Because of the recent passage of the pre-trial legislation and provision for a crucial probation role, the following article will be of special interest.

The concept of pre-trial diversion was the subject of a workshop session conducted at the National Institute for Crime and Delinquency held at the Statler Hilton Hotel on June 23. The Honorable Francis G. Poitrast, Justice of the Boston Juvenile Court moderated the workshop session, which had as panel members William B. Henschel, Director of the Hennepin County pre-trial diversion project in Minnesota; Milton Allen, State's Attorney for Baltimore City, Maryland; Paul L. Herzich, Director of Research, Court Employment Project, Inc., New York City; and John A. Calhoun, Director of the Justice Resource Institute in Boston.

In the first presentation, William Henschel traced the court diversion program back to John Augustus, the Boston cobbler and founder of probation who saved many alcoholics from prison and helped them to rehabilitation. Mr Henschel listed three features which he felt were vital to pre-trial diversion programs:

1) Non-authoritarian Attitudes on the Part of Program Personnel.

The function of the staff, according to Mr. Henschel, should be advisory rather than supervisory. They should develop individual client rehabilitation plans with practical needs such as employment, housing, and medical problems getting primary attention.

2) Voluntary Participation by Clients.

Clients who participate in a diversion program, according to Mr. Henschel, should not be subject to delayed prosecution on their charges. Delaying and not dropping charges would defeat the purpose of the program, Mr. Henschel said.

3) Use of Paraprofessionals.

The use of ex-offenders as counselors, working in conjunction with professionals, could help close the cultural gap between clients and staff and, at the same time, reduce probation officer caseload (thus permitting the flexibility needed for experimentation).

State's Attorney Milton Allen, previously a defense lawyer for twenty-two years, saw diversion programs as a viable alternative to imprisonment. Because the decision of when and under what circumstances the trial will occur is that of the prosecutor, Mr. Allen favored a strong prosecutorial role in pre-trial diversion programs.

Mr. Allen initiated a Baltimore, Maryland diversion program, Project Found. In Project Found, the typical offender is an underemployed black male between the ages of eighteen and twenty-six, charged with a misdemeanor or a property crime. Why is this so? Mr. Allen felt that the tendency of society to focus its attention on street crime and close its eyes to consumer fraud and white collar crime is a sympton of social injustice. He felt that this injustice could be offset by pre-trial diversion.

Project Found provides jobs and apprentice programs for offenders, in part, through a contractual agreement with the Maryland AFL-CIO. In conjunction with counseling and tutoring, offenders are able to reach specific goals such as a high school diploma or a meaningful job.

Project Found processes three hundred cases a year, but Mr. Allen would like to increase the number to two or three thousand. He felt that this could be accomplished by offering the diversion alternative to offenders charged with serious crimes.

Paul L. Herzich, Director of Research for the Court Employment Project in New York City, explained that his program offers basically two kinds of services:

1) Individual and group counseling by trained paraprofessionals who provide role models of success for their clients.

2) Career development by career guidance specialists who counsel clients and help them obtain jobs.

Mr. Herzich spoke about the role of research in relationship to pre-trial diversion programs. He cited a recent survey which examined the results of the processing of a typical offender population who were eligible for diversion projects. One out of six of these offenders were accepted as clients. The rest were refused by the project, by the district attorney or by the presiding judge, or else, they voluntarily chose not to participate. Of the combined total of those who did not participate, 52% were dismissed or found innocent. Less than 6% were jailed.

These statistics, he said, tend to indicate that under the present acceptance criteria, programs were accepting only low risk defendants. Whereas the programs are supposed to be diverting people from imprisonment, many rejectees were, in fact, not being jailed. Herzich recommended that diversion programs be expanded eperimentally to include offenders charged with a serious crime. He also felt that follow-up research would be valuable to measure the impact of diversion on the lifestyle of the client.

Herzich took issue with State's Attorney Milton Allen on prosecutorial discretionary powers over diversion programs, pointing out that it was possible that a prosecutorial recommendation for diversion would be based on an arbitary evaluation of the defendant's attitude. Also, he said, the prosecutor could recommend diversion in cases where he did not have sufficient evidence to obtain a conviction.

John Calhoun, Director of the Justice Resource Institute in Boston, said that "The time of pre-trial diversion has arrived. And we should be proud," he continued, "of the advances Massachusetts has made through the years in the field of corrections alternatives." He declared that Massachusetts has one of the nation's lowest rates of prison referral, and one of the highest rates of probation referral. In citing the advantages of the Massachusetts system, he noted that the district courts avoid the impersonality of standardized procedures and allow the judges a margin of judicial discretion to treat the offender as an individual.

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OCP CONTINUES DRUG MONITORING STUDY FOR 1974

Since April, 1974, the Office of the Commissioner of Probation has continued the drug monitoring program begun in April, 1973 by the Prison Health Project in co-operation with the Office of the Commissioner. In 1974, four samples were drawn, one each in April, July, August and October, 1974. As in 1973, the sample consists of all new arraignments on charges involving controlled substances reported to the Office of the Commissioner by Massachusetts courts during five consecutive days in each of the four chosen months. The April sample consists of 304 defendant cases, the July sample, 279 cases, the August sample, 300 cases and the October sample, 309 cases, making a total of 1192 cases of individual defendants for the combined sample of 1974. The following is a limited, preliminary report. More detailed studies are currently being implemented.

In Table I (Offender Age at Arraignment) possible changes in number of defendants charged with controlled substance offenses in each of five age brackets are considered. The first change to be noted is the increase from 1973 to 1974 in all age groups up to the age of 22, ranging from a sharp increase of 13% in the 13-16 age group to a more modest 6.3% increase in the 17-21 age group. There is a decrease of 7% in the 22+ age group which now accounts for only 35% of the state total. This drop could suggest that perhaps drug experience is becoming progressively confined to the school years from high school through college, tapering off with increasing maturity. However, the so-called "youthful offender" group of 17-21 years still accounts for 53% of all offenders in this sample.

TABLE I - AGE AT ARRAIGNMENT

Age	Number		% Increase or Decrease
	1973	1974	
13-14	15	19	+26.6
15-16	100	111	+11.0
17-18	234	260	+11.1
19-21	362	374	+3.3
22 plus	457	425	-7.0
Unknown	2	3	+50.0
Total	1170	1192	

Table II (Offender Residence by Mental Health Region) shows the number of offenders in each of the seven regions which were delineated in the 1973 tables. It presents a contrasting and unexplained picture. Region I, composed primarily of Berkshire, Franklin, Hampshire and Hampden Counties shows a decrease of almost 18% while its neighbor, Region II, Worcester County, shows an increase of almost 16%. Similarly, Region III, Northern and Northwestern Middlesex County shows a decrease of 19% while neighboring Region IV, composed of Essex County plus Medford, Malden and Everett, shows a 44% increase. This is, by far, the largest increase of any region and is almost 29% higher than the increase in Worcester County. The remaining three regions show little change. Region VII continues to lead in offenders with over 18% of the state total. As in 1973, almost two-thirds of the cases reported are resident in the more densely populated eastern half of Massachusetts.

Region I	Berkshire, Franklin, Hampshire and Hampden Counties
Region II	Primarily Worcester County
Region III	Northern and Northwestern Middlesex County and the Lowell area
Region IV	Essex County plus the Malden-Medford-Everett area in Middlesex County
Region V	Most of Norfolk County plus the southernmost section of Middlesex County
Region VI	Suffolk County plus Brockton
Region VII	Southernmost Norfolk County plus the Brockton area and all of southeastern Massachusetts

TABLE II - RESIDENCE

Region	Number		Increase or Decrease %
	1973	1974	
I	169	139	-17.8
II	121	140	+15.7
III	124	100	-19.4
IV	120	173	+44.2
V	137	140	+2.2
VI	179	173	-3.4
VII	215	222	+3.3
Other States	99	44	-44.0
Residence not stated	6	61	+916.0
Total	1170	1192	

Table III (Type of Controlled Substance Reported) shows some striking changes. Cases involving Class A substances, primarily heroin, show a sharp decrease of 28%, while Class D cases, primarily marijuana, show an increase of 18%. Cases involving Class C, primarily LSD and other hallucinogens, show a sharp increase of

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DRUG MONITORING STUDY
cont. from page 4

165%. We must use some caution here before drawing any strong conclusions, however, for the numbers are small compared to those of Class A and Class D cases. Class B cases show a comparatively slight increase of less than 5%, while Class E cases yield a decrease of the same proportion. Three additional categories of drug offenses in Table III may influence the interpretation of the results. Multiple substances increased 7% while "Other Charges" which includes possession of a hypodermic needle, obtaining drugs by false prescription, etc., where no specific drug is involved increased 65%. On the other hand, drug offenses with substances not reported decreased by 74%.

TABLE III - SUBSTANCE

Substance	Number		% Increase or Decrease
	1973	1974	
Class A (heroin)	141	101	-28.3%
Class B (amphetamines, barbiturates)	62	65	+4.8%
Class C (LSD)	23	61	+165.0%
Class D (Marijuana)	565	667	+18.1%
Class E (Codeine, etc.)	22	21	-4.5%
Multiple	117	126	+7.6%
Unreported	176	45	-74.4%
Other Charges	64	106	+65.6%
Total	1170	1192	

Summary

The 1974 combined sample of offenders involved with controlled substances shows an increase of all offenders 21 years of age and under, while the number of mature drug offenders of 22 plus years indicates a decline. An unexpected shift in offender residence has occurred and will have to be studied further. There is also an unexplained shift in the number of cases in which the residence was either unknown or out-of-state. The number of cases with an out-of-state address has decreased by exactly the same amount as the increase in the number of cases where the address was unknown. Whether there is a causal connection will have to be determined.

There is a sharp decrease in the number of Class A offenders and a substantial increase in the number of Class C offenders, coupled with an increase in the number of Class D offenders (marijuana), which, it should be pointed out, constitutes almost 56% of all controlled substance arrests and court appearances. The number of individuals with multiple drug possession increased slightly, while "Other Charges" in which no specific drug was involved has climbed sharply. There is, at the same time, a sharp drop in the number of cases in which the type of drug was unreported and this could account for some of the increase in types of drugs used.

D.Y.S. COMMITMENTS INCLUDE MANY RECIDIVISTS

The Office of the Commissioner recently studied commitments of delinquents to the Department of Youth Services. The purpose was to estimate the number of recidivists among juveniles currently committed. A recidivist was defined as an individual who had at least one prior commitment to D.Y.S. during the last five years. Informal referrals, commitments in lieu of bail, and commitments to county training schools were not included.

Two samples were drawn, one for the month of June, 1974, and one for the month of September, 1974. These included all commitments to the Department of Youth Services reported to the Office of the Commissioner during each of the two months. The June sample showed 53 commitments and the September sample showed 54 commitments, making a total of 107 for the combined sample. A search of the files was made to determine the number and dates of possible prior commitments.

The table below shows that of the total of 107 in the combined sample 51 or 47% had been committed to D.Y.S. at least once before. Most of the D.Y.S. population studied were 15 and 16 years old. Of the 51 juveniles who had been committed previously, 40 or 80% of the total were in that age group. Among the 56 with no prior commitment, 40 or 71% of the total were 15 and 16 years old.

PRIOR AND NO-PRIOR COMMITMENTS COMPARED

COMBINED JUNE-SEPTEMBER SAMPLE

AGE	PRIOR COMMITMENT	NO PRIOR COMMITMENT	TOTAL
9	-	1	1
10	-	1	1
11	3	1	4
12	1	1	2
13	1	3	4
14	4	8	12
15	19	16	35
16	21	24	45
17	2	1	3
Total	51	56	107

CHANGES IN PERSONNEL

DESIGNATIONS AS CHIEF PROBATION OFFICER

John J. Connelly, Jr., Norfolk Probate Court, effective November 4, 1974.

James W. Conway, Municipal Court of Charlestown, effective September 3, 1974.

Gary F. Cowles, District Court of Peabody, effective October 1, 1974.

John A. Dattis, Acting, Central District Court of Worcester, Worcester, effective October 7, 1974.

William C. Emsley, 61 Briarwood Drive, Taunton, First District Court of Bristol, Taunton, effective November 18, 1974, a graduate of the University of Massachusetts with an M.S.W. from Boston College and a former Director of Headstart, Taunton.

Maurice Guberman, Municipal Court of Brookline, effective September 3, 1974, formerly Assistant Chief Probation Officer, District Court of Northern Norfolk, Dedham.

Ronald R. Paradis, Second District Court of Bristol, Fall River, effective November 1, 1974.

DESIGNATIONS AS ASSISTANT CHIEF PROBATION OFFICER

Robert H. Carper, District Court of Eastern Hampden, Palmer, effective September 3, 1974.

Thomas G. Cavanaugh, District Court of Southern Norfolk, Stoughton, effective July 1, 1974.

Anthony C. Colarossi, Third District Court of Eastern Middlesex, Cambridge, effective September 9, 1974.

Vernon J. Cormier, First District Court of Southern Worcester, Dudley, effective August 7, 1974.

Leonard E. Enos, Second District Court of Barnstable, Orleans, effective August 1, 1974.

Joseph W. Keefe, District Court of Western Hampden, Westfield, effective September 16, 1974.

John J. McCann, Acting, Second District Court of Bristol, Fall River, effective November 1, 1974.

James W. Minton, Municipal Court of Brookline, effective September 9, 1974.

Hugh J. Moriarty, Springfield District Court, effective October 1, 1974.

Richard M. Murphy, District Court of Peabody, effective August 1, 1974.

Joseph O'Reilly, Boston Juvenile Court, effective August 28, 1974.

Elaine M. Riley, Second District Court of Middlesex, Waltham, effective October 1, 1974.

Jesse V. Santos, Jr., Third District Court of Bristol, New Bedford, effective August 5, 1974.

George R. Skelly, Municipal Court of the City of Boston, effective August 14, 1974.

PERMANENT APPOINTMENTS

Joseph Burke, Superior Court of Middlesex County, effective December 2, 1974.

James J. Calorio, District Court of Natick, effective September 1, 1974.

Antone Cardoza, Third District Court of Bristol, New Bedford, effective August 1, 1974.

James J. Clark, Central District Court of Middlesex, Concord, effective October 15, 1974.

John E. Concaugh, First District Court of Eastern Worcester, Westborough, effective September 1, 1974.

Jack C. Coombs, District Court of Leominster, effective August 30, 1974.

Maureen K. Corbett, Municipal Court of Brookline, effective October 1, 1974.

Clyde DeBay, East Boston District Court, effective July 3, 1974.

Luis Duran, Municipal Court of the Roxbury District, effective August 7, 1974.

John J. Fitzgerald, 16 Cornwall Street, Springfield, District Court of Springfield, effective October 1, 1974, a graduate of Holy Cross College, and a former resource coordinator.

Barbara I. Foster, Superior Court of Middlesex County, effective December 2, 1974.

Thomas J. Ginley, Springfield Juvenile Court, effective August 6, 1974.

Joseph Guerriero, Suffolk Superior Court, effective December 2, 1974.

Paul G. Klibansky, First District Court of Essex, Salem, effective October 24, 1974.

Stephen G. Long, Third District Court of Plymouth, Plymouth, effective September 9, 1974.

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CHANGES IN PERSONNEL
cont. from page 6

Mark Lynch, Essex Juvenile Probation District, effective September 30, 1974.

Michael McCartney, District Court of Western Hampden, Westfield, effective September 3, 1974.

John L. Mansfield, Superior Court of Plymouth County, effective December 2, 1974.

John H. Mezzetti, First District Court of Barnstable, Barnstable, effective November 1, 1974.

Martha Monell, First District Court of Southern Middlesex, Framingham, effective November 19, 1974.

Thomas E. O'Neill, Jr., Springfield Juvenile Court, effective August 6, 1974.

William M. O'Riordan, 28 Highland Avenue, Northampton, District Court of Hampshire, Northampton, effective November 1, 1974, a graduate of Westfield State College, and a former career planner.

Raymond Patnaude, Third District Court of Bristol, New Bedford, effective August 15, 1974.

Barbara Pietraszek, Essex Probate Court, effective November 1, 1974.

Paul D. Riley, Second District Court of Eastern Middlesex, Waltham, effective August 1, 1974.

Joan M. Rockett, Superior Court for Norfolk County, effective December 2, 1974.

Dennis Skerry, District Court of Natick, effective October 1, 1974.

Leonel O. Souza, Second District Court of Barnstable, Orleans, effective October 1, 1974.

Bernard V. Tobin, District Court of Hampshire, Northampton, effective November 1, 1974.

Mary C. Viera, Bristol County Juvenile Court, effective August 1, 1974.

Buddy Lee Williams, 166 Northampton Avenue, Springfield, District Court of Springfield, effective October 1, 1974, a graduate of Westfield State College and a former teacher.

TEMPORARY APPOINTMENTS

Stephen J. Alpers, 32 Emerald Street, Medford, Third District Court of Southern Worcester, Milford, effective September 3, 1974, a graduate of Central Connecticut State College and a former employment counselor.

James Athas, 37 Sherwood Terrace, Holyoke, Springfield Juvenile Court, effective August 12, 1974, a graduate of Tarkio College.

Ronald R. Berube, 480 North Eastern Avenue, Fall River, Second District Court of Bristol, Fall River, effective October 1, 1974, a graduate of St. Francis College, and a former social worker.

Daniel R. Bettencourt, 12 River Drive, Danvers, District Court of Peabody, effective August 7, 1974, a graduate of St. John's Seminary.

Bruce J. Brown, 1867 Middlesex Street, Lowell, District Court of Lawrence, effective September 3, 1974, a graduate of the University of Tampa and a former recreation specialist.

Christopher F. Callahan, 14 John's Road, Holyoke, District Court of Western Hampden, Westfield, effective September 3, 1974, a graduate of Curry College.

Richard W. Chase, 127 Church Street, East Harwich, Second District Court of Barnstable, Orleans, effective July 15, 1974, a graduate of Boston University.

Ronn L. Coltin, 7 Rocky Hill Road, Amesbury, Central District Court of Northern Essex, Haverhill, effective November 1, 1974, a graduate of the University of Massachusetts and a former parole caseworker.

Walter A. Conward, 135 Chancery Street, New Bedford, Third District Court of Bristol, New Bedford, effective August 5, 1974, a graduate of Wilberforce University.

Ronald P. Corbett, 75 Haddon Street, Revere, Municipal Court of Brookline, effective August 26, 1974, a graduate of Harvard University.

Alfonso Denson, 119 Lorna Road, Mattapan, Municipal Court of Brookline, effective September 9, 1974, a graduate of Arkansas Am. & N. College.

Peter Driscoll, 6 Little Pond Road, Plymouth, District Court of Northern Norfolk, Dedham, effective October 7, 1974, a graduate of Boston College.

Michael P. Durette, 141 Otis Street, Cambridge, District Court of Northern Norfolk, Dedham, effective September 23, 1974, a graduate of the University of Massachusetts.

David C. Ellison, 171 Sargeant Street, Holyoke, District Court of Eastern Hampden, Palmer, effective September 3, 1974, a graduate of Boston College.

William F. Fahey, 164 Walnut Street, Watertown, Third District Court of Eastern Middlesex, Cambridge, effective September 9, 1974, a graduate of Boston College with a J.D. from Suffolk Law School.

Donna M. Fawcett, 718 Chelmsford Street, Lowell, First District Court of Northern Middlesex, Ayer, effective October 1, 1974, a graduate of Lowell State College.

Michael J. Finucane, 35 Church Street, Newton, Second District Court of Eastern Middlesex, Waltham, effective October 1, 1974, a graduate of Boston College.

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CHANGES IN PERSONNEL

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Michael T. Fitzpatrick, 11 William Street, Worcester, First District Court of Northern Worcester, Gardner, effective July 29, 1974, a graduate of Nichols College and a former teacher.

James F. Flannery, 47 Wingold Street, Fall River, Second District Court of Bristol, Fall River, effective September 1, 1974, a graduate of St. Leo College.

Patricia A. Flynn, 44 Ohio Avenue, Lawrence, District Court of Lawrence, effective October 1, 1974, a graduate of the University of Massachusetts with an M. Ed. from Boston College.

Leo F. Furfey, Route 28A, Cataumet, First District Court of Barnstable, effective August 16, 1974, a graduate of Nichols College, an M. Ed from the same school and a former teacher.

Peggy L. Gassman, 18 Lakeshore Drive, Brighton, Norfolk County Probate Court, effective November 4, 1974, a graduate of Beaver College.

Nancy M. Grossman, 220 Mountain Avenue, Malden, South Worcester Juvenile Probation District, effective September 23, 1974, a graduate of Syracuse University, with an M. Ed. from Boston University.

Jeanne A. James, 32 Farwell Street, Natick, Middlesex Juvenile Probation District, effective September 1, 1974, a graduate of the University of Pacific, with an M.A. from the same school and a former relocation officer for Urban Renewal Project, Framingham.

Timothy J. Kelliher, 59 Albin Street, Everett, Third District Court of Eastern Middlesex, Cambridge, effective September 3, 1974, a graduate of the University of Massachusetts.

Elizabeth A. Kittredge, Crescent Avenue, Manomet, First District Court of Barnstable, effective July 16, 1974, a graduate of Marquette University and a former teacher.

Paula Larkowiez, 4 Warner Street, Somerville, Suffolk County Probate Court, effective October 21, 1974, a graduate of Regis College with an M.A. from Suffolk University and a former teacher.

Frederick J. McConaghy, 249 Lantern Road, First District Court of Southern Worcester, Dudley, effective August 7, 1974, a graduate of Bentley College and a former teacher.

Mary Ellen McGann, Ayer Road, Harvard, District Court of Fitchburg, effective October 1, 1974, a graduate of Albertus Magnus College and a former youth coordinator.

Nazzareno N. Modica, 4 Richard Road, Canton, Municipal Court of the City of Boston, effective October 30, 1974, a graduate of Boston University.

Jane M. Nagle, 1060 Main Street, Malden, District Court of Peabody, effective October 1, 1974, a graduate of the University of Massachusetts.

Jacqueline O'Donnell, 38 Piedmont Street, Lynn, District Court of Peabody, effective August 26, 1974, a graduate of Clark University and a former social worker.

Thomas J. O'Shea, 92 Paradise Road, Swampscott, Essex Juvenile Probation District, effective November 4, 1974, a graduate of the University of Massachusetts.

Richardson Reid, 480 Main Street, Dennis, Second District Court of Barnstable, Orleans, effective August 1, 1974, a graduate of Colgate University with an M. Ed. from Bridgewater State College.

Stephen P. Santora, 293 Brigham Hill Road, North Grafton, First District Court of Eastern Worcester, Westboro, effective July 1, 1974, a graduate of the University of Massachusetts.

Peter A. Spina, 15 Elm Street, Pittsfield, District Court of Central Berkshire, Pittsfield, effective July 1, 1974, a graduate of St. Michael's College and a former teacher.

Paul E. Stukowski, 30 Patterson Street, Worcester, Central District Court of Worcester, Worcester, effective November 4, 1974, a graduate of Norwich University and a former social worker.

Michael G. Sullivan, 158 Forest Street, Fall River, Second District Court of Bristol, Fall River, effective September 1, 1974, a graduate of St. Anselm's College, with an M.S.W. from Boston College.

Robert L. Sullivan, 1 Main Street, Hampshire, District Court of Eastern Hampden, Palmer, effective September 3, 1974, a graduate of American International College.

Kathleen R. Taylor, 210 Chestnut Hill Avenue, Brighton, Suffolk County Probate Court, effective October 7, 1974, a graduate of Boston College, an M.S. from Lesley College, and a former teacher.

Michael W. Thomas, 104 Sutton Street, New Bedford, Third District Court of Bristol, New Bedford, effective August 5, 1974, a graduate of Fordham University.

Ceeilia G.S. Todd, 146 Shore Drive, Peabody, First District Court of Essex, Salem, effective August 7, 1974, a graduate of the University of California, and a former outreach worker.

David J. Uguccioni, 9 Pleasant Street, Palmer, District Court of Eastern Hampden, Palmer, effective September 1, 1974, a graduate of Union College with a J.D. from Indiana University Law School.

James J. Umile, 25 Curtis St., Wakefield, Fourth District Court of Eastern Middlesex, Woburn, effective August 1, 1974, a graduate of Providence College.

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CHANGES IN PERSONNEL

cont. from page 8

Richard A. Westgate, 40 Norfolk Street, Walpole, District Court of Northern Norfolk, Dedham, effective September 23, 1974, a graduate of Boston State College.

Bruce D. Wickman, 214 Main Street, Rutland, First District Court of Northern Worcester, Gardner, effective July 29, 1974, a graduate of Fitchburg State College, and a former adolescent counselor.

Joyce A. Wise, 90 Wendover Road, Springfield, Springfield Juvenile Court, effective August 12, 1974, a graduate of the College of Our Lady of the Elms, with an M.S. from Springfield College.

TRANSFERS

Peter Hoffman, District Court of Southern Essex, Lynn, to Municipal Court of the City of Boston, effective October 2, 1974.

Bruce O'Donnell, from First District Court of Northern Middlesex, Ayer, to Second District Court of Eastern Middlesex, Waltham, effective October 1, 1974.

LEAVE OF ABSENCE

M. Judith Anderson, Middlesex Juvenile Probation District, effective September 1, 1974.

Patricia A. Bobba, District Court of Eastern Hampden, Palmer, effective September 1, 1974.

Richard C. Westmoreland, Municipal Court of Dorchester, effective June 26, 1974.

RETURNED FROM LEAVE

Daniel J. Keefe, Southern District Court of Essex, Lynn, effective October 1, 1974.

RESIGNED

Richard L. Arrington, Municipal Court of Roxbury, effective September 3, 1974.

Charles McCusker, Municipal Court of the City of Boston, effective September 3, 1974.

RETIRED

Samuel J. Collis, Deputy Assistant Chief Probation Officer, Municipal Court of the City of Boston, effective July 31, 1974. Mr. Collis entered the service in 1937.

Joseph F. Luz, Chief Probation Officer, District Court of Peabody, effective September 30, 1974. Mr. Luz entered the service in 1942.

Katherine M. Pilet, Chief Probation Officer, Central District Court of Worcester, effective December 31, 1974. Mrs. Pilet entered the service in 1947.

William D. Sweeney, Chief Probation Officer of the Municipal Court of the Charlestown District, effective August 31, 1974. Mr. Sweeney entered the service in 1947.

Robert C. True, Chief Probation Officer of the Municipal Court of Brookline, effective August 31, 1974. Mr. True entered the service in 1948.

TERRY RETIRES FROM COMMITTE ON PROBATION

Lawrence Terry, a member of the Committee on Probation since 1964, has retired at the end of his second five-year term. Mr. Terry, the former headmaster of Middlesex School in Concord, was a member of the Board of Trustees of the Massachusetts Training Schools until 1948. He is a former president of The Headmasters' Association, the national organization of private and public secondary schools and was an Overseer of Harvard University.

In a recent interview, Mr. Terry praised the work of his colleagues on the Committee on Probation for their continual effort to improve the quality of the Probation Service. A particularly important accomplishment of the Committee during his ten years of service, he felt, was the establishment of an A.B. degree requirement for probation officers. This standard, said Mr. Terry, gave to the service an esprit de corps. It clearly labelled the probation officer as a professional.

Mr. Terry praised the use of volunteers in probation. He suggested that volunteers could be important in helping to reduce probation officer caseload. "You cannot prove to me," he said, "that one man can influence 30 difficult people." The volunteer, he said, could assist by working with lesser offenders.

Despite his retirement from the Committee on Probation, Mr. Terry remains active in public life. He is currently serving in his second three-year term as selectman in the Town of Harvard.

VOLPE APPOINTED TO COMMITTEE ON PROBATION

S. Peter Volpe of Wakefield has been appointed to the Committee on Probation by Chief Justice of the Supreme Judicial Court, G. Joseph Tauro. His term of five years was effective October 20, 1974. Mr. Volpe is currently serving as President and Treasurer of the Volpe Construction Company of Malden, Massachusetts. He has been active in civic affairs and has held important posts in the building trades industry. He is Vice-President of the Massachusetts Safety Council, Vice-Chairman of the Board of Trustees of Merrimack College and a member of the Malden Chamber of Commerce.

Mr. Volpe is a graduate of Wenthworth Institute and holds an honorary degree of Doctor of Engineering from Merrimack College. He was a Navy Seabee in the Pacific Theater during World War II. He is married and has two children.

COMMISSIONER FILES LEGISLATION

A number of individual bills have been filed by the Office of the Commissioner of Probation. The proposed legislation will:

1. Provide for suspended sentences independent of any requirement that probation also be imposed.

2. Eliminate the provision which prohibits suspension of sentence of a person convicted of any felony, if he had been previously convicted of a felony.

3. Change certain procedures used to seal records:

   a) Authorize the sealing of both misdemeanor and felony records with certain exceptions after a ten-year period.

   b) Grant access to sealed felony record information to certain criminal justice agencies, police, the Department of Public Safety and the Department of Correction. (These agencies, for certain positions, are not permitted to hire persons with a felony conviction.)

   c) Authorize juvenile court judges sitting in juvenile session to order sealed those cases which have been dismissed and/or discharged.

4. Require the Commissioner of Probation to increase the fee for searches on behalf of certain departments and institutions from one dollar to three dollars.

5. Allow the Committee on Probation to establish the salary of a probation officer with twenty or more years probation service, on promotion to a higher grade within the service, at the maximum step in the salary schedule for the new position.

6. Provide that no probation officer shall suffer loss in salary when there is a reorganization of a probation district.

7. Authorize the appointment of additional probation officers for Barnstable and Hampshire Probate Courts.

8. Authorize a number of scholarships and leaves of absence with pay to probation officers who would then be able to enroll in full time higher education programs.

9. Allow the appointment of deputy probation officers not only in district and juvenile courts for casework with children under 17, but also for superior, probate, municipal, district and juvenile courts for work with adults as well.

10. Eliminate an earlier statute which conflicts with a later statute regarding the role of the Committee on Probation in designating the entry-grade level of a probation officer with years of prior experience in an allied field.

11. Increase the traveling expense allowance of probation officers.

12. Provide for a public official blanket position bond for probation offices.

COURT DIVERSION

cont. from page 3

Mr. Calhoun said that pre-trial deversion could be considered similar to early or classical probation. He then picked up the theme of program evaluation. "Certainly," he said, "the existence of diversion programs should not be guaranteed." But he did feel that criteria for evaluation should include justice combined with healing and rehabilitation.

After the formal presentation, Judge Poitrast conducted a lively question and answer period. The most significant issue seemed to be the question of whether or not pre-trial diversion programs "work." The initial response from William Henschel was that such programs are both cheaper and more humane than prison, and should be evaluated with this in mind. In Minneapolis, he declared, diversion programs operate in conjunction with restitution programs which compensate crime victims.

In response to a question, Mr. Herzich expanded on his previous concern. Recidivism, he said, should not be the main criterion for evaluating pre-trial diversion without a corresponding evaluation of the type of client being helped. He reiterated that programs should be encouraged to accept higher risk clients. While program recidivism rates might appear higher, the project could, in fact, help to reduce the recidivism of offenders who represent greater public problems.

In response to a concluding question, Mr. Calhoun said that it had been found that diversion programs experienced least success with drug offenders and most success with older felons who had the most to lose if their cases were handled by traditional judicial processes.

Commissioner C. Eliot Sands
And Staff
Extend Warmest Greetings
for the
Holiday Season
to the
Entire Probation Service

MASS 36.3:vol 10/no.1

MASSACHUSETTS PROBATION

BULLETIN FROM THE OFFICE OF THE COMMISSIONER OF PROBATION

Volume 10 Number 1 March 15, 1975

RYAN SCORES "WHISPERED CONFERENCES"

Matthew J. Ryan, Esq., District Attorney of Hampden and Berkshire Counties, in the opening address at the recent Annual Probation Conference in Springfield, offered blunt criticism for the consideration of probation officers.

Mr. Ryan focused on what he called "whispered conferences" between judge and probation officer after the judge had received the district attorney's recommendation for sentencing. To compound the difficulty, in Mr. Ryan's view, such conferences were often held in the judge's chambers. Mr. Ryan resented the secrecy of these conferences. He felt that any information which the probation officer might possess or any recommendation which he might make to the judge should also be made known to the district attorney.

Turning to pre-trial diversion, Mr. Ryan chided his listeners for allowing "outsiders" to dominate these programs. "Outsiders" are not professional probation officers, Ryan said, and should not undertake the rehabilitation of someone who has entered the criminal justice system. Pre-trial diversion, he contended, should be the sole province of the probation officer. Returning to his opening theme of frank communication between branches of the criminal justice system, Ryan felt that the district attorney should have full information on all defendants who, after screening, are assigned to diversion projects. Only in this way, he said, could the district attorney's office discharge its responsibilities.

Pursuing the rehabilitation theme, Ryan said that he was in favor of a furlough system for institutionalized individuals but only in the last 18 months or one year before release or parole. He opposed furloughs for lifers within a short time after commitment. In conclusion, Ryan touched upon recidivism in relation to furloughs granted, and stated, that in his opinion, "recidivism is destroying the whole system of furloughs."

In a question and answer period, George LeDoux, Chief Probation Officer of the Worcester Superior Court, endorsed Ryan's position on the question of "whispered conferences" between judge and probation officer, but would go even further and have the probation officer's recommendation read in open court.

In a tangential question, Charles A. Winchester, Chief Probation Officer of the Woburn District Court, voiced concern about the role of the probation officer in any "plea bargaining." Ryan, preferring to call the process "plea discussions," said that because most prosecutors feel that probation officer views are heard during conferences with the judge, the probation officer is usually not consulted by the district attorney in such negotiation. He had no objection to including the probation officer in the discussions together with other persons concerned and emphasized that the probation officer is the one person who can best provide background material on the defendant.

In a change of pace, the question of "bind overs" of juveniles was raised by the Honorable Lucian A. Manzi, Justice of the Worcester Juvenile Court. Judge Manzi was concerned about the lack of feedback concerning such cases, saying "we never hear what happened to them." Ryan conceded that this was a problem area. He pointed out that there is usally a two to three-year waiting period between the "bind over" and the trial, during which the juvenile is released. While no definite solution could be seen, Ryan agreed with Judge Manzi that special sessions in both the office of the district attorney and the superior court could expedite some cases.

YOUR HELP IS NEEDED

The Commissioner's office and MPA are planning next year's annual conference. To be sure that the program is what you want, your suggestions are needed. On the last page of this issue is a questionaire. Please complete and return it.

Editor: Michael Hutner Assistant Editor: Ann Cronin

The bulletin is published quarterly for the information of the Probation Service, the Judiciary, and the interested public. Correspondence should be sent to: Editor, Room 206, New Court House, Boston, MA 02108.

Publication Number: 6351
(8-1250-3/75-CR)

Approved by Alfred C. Holland
State Purchasing Agent

Probate P.O.'s See Job Difference

The role of the probation officer in probate court is highly specialized. It is different from that of other probation officers and the difference is reflected in serious questions about the appropriateness of being known as a probation officer. Some of the 25 probate court probation officers feel that the probation title may have a criminal or delinquency connotation out of place in a family court milieu. For certain purposes they would rather be referred to as "family service officers". Still, most admit that the probation officer title gives them added authority useful in enforcing court orders.

The uncertainty about job titles was one of many issues discussed at the recent probate court workshop at the Annual Statewide Probation Officers Conference in October, 1974. The workshop was moderated by the Honorable Alfred L. Podolski, Chief Judge of the Massachusetts Probate Court. Panelists included the Honorable Ernest L. Rotenberg, Judge of the Bristol County Probate Court, the Honorable Gerald L. McLellan, Judge of the Worcester County Probate Court, James Casey, Chief Probation Officer of the Worcester County Probate Court and Attorney Francis X. Tansey.

Some participants pointed out that the main difference between probate court probation officers and conventional probation officers is that the probate court probation officer works primarily with non-offenders rather than offenders and with families, rather than individuals. The process is that of a healer "binding up the wounds" of families whose problems have become too overwhelming for internal solution.

Because of the non-criminal setting, certain situations are very difficult. One example, enforcing payment of support money or, as Chief Judge Podolski said, "the monitoring of payments" is an extremely difficult problem. The compulsory alternative is civil or criminal contempt of court proceedings. But these involve complex social and legal problems and almost all agreed that jail is not the answer. Participants felt instead that by skillful and painstaking work, the probation officer could prevent events from reaching the necessity of contempt proceedings.

In cases where contempt proceedings are absolutely necessary, payment default cases can be referred to district court for issuance of a criminal citation. Most participants preferred, instead, civil contempt proceedings, even though the civil contempt process is very complex and time consuming.

The conferees discussed other issues including the environmental investigation. They agreed that the report to the judge should include employment history, financial information, neighborhood relationships, school data, and other pertinent facts. "Unless it is an emergency," Judge McLellan declared, "I will not hear a contested custody case without a thorough investigation by the family service officer." Many said that as part of that investigation, the officer should make a home visit, preferably unannounced.

Some participants called attention to a lack of coordination among probate court probation offices. As John J. Connelly, Chief Probation Officer of the Norfolk County Probate Court said, "we found very quickly that each individual court is an animal unto itself, and the judges have certain priorities, and we have to adapt ourselves to certain areas in which the judges are most interested: in some courts, collections, some courts, investigations, others arbitration. As a result, it has been extremely difficult to get a cohesive, coordinated effort where all courts would be doing similar things."

Also discussed were various training and procedural improvements. Judge Rotenberg suggested that quarterly or semi-annual conferences be held to discuss research paper presentations. The papers would be given by members of the probate court system and would describe aspects of family service counseling. These papers, Judge Rotenberg said, "would become part of a permanent notebook."

A routine change favored by most officers concerned the monthly report submitted to the Office of the Commissioner. Many felt that the form currently in use does not adequately mirror the work done by probate court probation officers. An example cited concerned the collection of funds which are subsequently turned over to the Public Welfare Department. The process can be very time-consuming for the probation officer, but there is no category on the monthly report form in which it can be reported. It was agreed therefore, that changes in the form should be sought in cooperation with the Commissioner's Office.

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REVOCATION PROCEDURES ARE DISCUSSED

On May 14, 1973 in the case of Gagnon v. Scarpelli, the U.S Supreme Court set forth minimum requirements to be followed in probation revocation cases. Subsequently, the Office of the Commissioner issued implementing guidelines. While these documents set forth revocation procedures, many questions of concern to probation officers were left unanswered. The issues were discussed at a workshop which was part of the annual Fall Probation Officers Conference. The Honorable George C. Keady, Special Justice, District Court of Springfield, moderated the workshop at which Alfred Ferrari, Cambridge District Court Probation Office and Frederick V. Gilgun, Woburn District Court Clerk, served as panelists. Many of the probation officers attending raised questions concerning not procedures but basic issues of when revocation should take place and who should make the surrender decision.

Probation officers questioned the wisdom of their being compelled to participate in the decision to revoke for reasons stated in the Scarpelli decision. In that case the majority opinion referred to the fact that the probation officer "has been entrusted traditionally with broad discretion to judge the progress of rehabilitation in individual cases and has been armed with the power to recommend or even declare revocation." The opinion further said that, "Even though the officer is not by this recommendation converted into a prosecutor committed to convict, his role as counsellor to the probationer or parolee is then surely compromised."

Conversely, some probation officers pointed out that if a probation officer, fearful of disrupting the relationship with his client, presents only facts of probation violation with no recommendation, the judge, less familiar with the probationer and possible mitigating circumstances, may unwittingly impose harsh judgements. The workshop concensus was that if a probation officer investigates alleged violations fully and fairly and makes a recommendation accordingly, the relationship with his client should not suffer unduly.

In a related issue Probation Officer Alfred Ferrari posed the question of what to do if a previously intractable probationer started to cooperate between the required preliminary and final hearings. The second hearing must be held according to the court decision, but, said Ferrari, would the probationer understand this or would he return to previous non-cooperation.

A second area of discussion concerned the district court probationer who is arrested on a new charge, found guilty, and who then appeals, or the probationer who is arrested on a new charge and bound over to the Superior Court. In both of these cases, the trial de novo might not be held for months or even years. The Commissioner's guidelines recommend that the probationer be surrendered after full investigation by the probation officer without waiting for final verdict; however, if the probationer is then found not guilty in Superior Court, has he been injured by revocation? Judge Keady said that he would not revoke probation merely because of a new arrest which is appealed and would consider doing so only in combination with other factors.

A source of uncertainty concerned the type of evidence admissible at a revocation hearing. Since a surrender hearing is not a trial, a preponderance of evidence is sufficient. But considering that hearsay evidence could be introduced, some probation officers asked if there were a potential violation of a defendant's rights. They discussed further whether the evidence should merely be read by the probation officer or whether the person offering it should be required to testify under oath. The Scarpelli decision states that the informer should be produced unless it were determined that he "would be subjected to risk of harm if his identity were disclosed."

In a general discussion about surrender cases there seemed to be some feeling that many surrender hearings are becoming mere technicalities which are taken lightly by the probationers involved, who believe that the sessions are held only for the record and will not jeopardize their liberty.

Finally, there was a call for new guidelines in handling of suspended fine cases. It was pointed out that where such cases are considered under the jurisdiction of the probation officer rather than the clerk of courts and where payments were not made, it could be construed as a violation of probation. If revocation procedures were initiated, all the procedures and safeguards mandated by the Scarpelli decision might be required. Any such development would add a tremendous burden to the already overworked probation departments and would dilute, some felt, the attention which should be given to clients who have a good prognosis for rehabilitation.

JUVENILE PROBATION OFFICERS MEET

Representatives from 25 probation offices having juvenile caseloads gathered at an October 30 meeting in Framingham convened by the Office of the Commissioner. The purpose was to provide a vehicle for probation offices to learn what juvenile justice legislation is being proposed and to provide for them to react to these proposals. It was the consensus that additional meetings be held and that probation offices concerned with juvenile cases be invited to send representatives.

At a subsequent meeting on November 26 in Framingham, the Probation Officers for Juveniles group discussed, among other bills, proposed changes in the CHINS law, proposed Department of Education regulations pertaining to pupil records and a proposed Juvenile Records Act suggested by the Committee on Criminal Justice. The group then voted to submit a bill amending certain sections of the CHINS law.

At a subsequent meeting Jan. 27 and again at a February 27 meeting new legislation proposals were discussed. On the agenda for future meetings are several developments: a meeting with O.C.P. planning unit staff and a discussion of specialized training for juvenile probation officers.

SHORT NOTES

WHY DOESN'T SOMEONE ANSWER THE PHONE???

If you've been having difficulty in getting your telephone call to the OCP central file answered, the recent state government freeze on hiring is now affecting your court. The Office of the Commissioner has 12 junior clerk positions which are vacant and these vacancies have a direct effect on all record inquiries.

A meeting with Commissioner of Administration and Finance John R. Buckley has been requested in the hope of resolving this problem. Efforts are being made also to have central file entry level positions upgraded to eliminate the financial inducement to present file employees to leave for higher paying positions in other state agencies.

Your patience and understanding is requested during this difficult interim period.

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NICD WILL BE HELD IN MINNEAPOLIS

The 22nd National Institute on Crime and Delinquency will be held on June 15-18 in Minneapolis. The annual conference will feature many probation related topics: diversion and pre-trial services, the juvenile court and client roles in rehabilitation. As many as 40 workshops are scheduled during the conference. To obtain an advance registration form write to the Editor, Massachusetts Probation, 206 New Court House, Boston, Mass. 02108.

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NARCOTICS ENFORCEMENT OFFICERS WILL MEET IN MAY

The Massachusetts Narcotics Enforcement Officers Association will hold its Thirds Annual Conference on May 7, 8, and 9 at the Sheraton-Tara Hotel in Framingham. For details on program and participation, contact Detective John DeBassio, President of the Association, at 583-1212 in Brockton or write to President, MNEOA, P.O. Box 176, Brockton, Mass.

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PROJECT DISCOVERY OPENS EMERGENCY SHELTER

Project Discovery of Framingham has announced the opening of one-to-thirty day emergency shelter. Located at 70 Pearl Street in downtown Framingham, the facility welcomes probation officer referals. Adolescents aged up to 17 years are accepted.

For information about the facility and services offered, contact John Bugden, Emergency Shelter Coordinator of Project Discovery, at 875-1196.

ESPINOSA OFFERS ASSISTANCE

James Espinosa, Framingham District Court Probation Officer has offered to translate probation related material into Spanish and to meet with other probation officers who are providing services to Spanish-speaking persons. He can be contacted at the Framingham court (875-5241).

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O.C.P. WILL STUDY TRAINING NEEDS

The Office of the Commissioner of Probation expects to receive federal L.E.A.A. funds to help in the assessment of probation officer training needs. William R. MacGregor, head of the O.C.P. Staff Development Unit said that the funds will be used to hire consultants to formulate programs. Training areas will include basic knowledge and skills, presentation, different court settings, case-work related skills and management.

MacGregor has asked the Massachusetts Probation Association Education and Training Committee to review a draft copy of the funding request before its final submission to the Massachusetts Committee on Criminal Justice, the state L.E.A.A. planning agency. In addition, he requested that they actively participate in assessing training needs.

Probation officers, said Mac Gregor, will be encouraged to express their ideas on training during the study. Any questions about the proposed planning process can be answered by contacting either Tom Sullivan, Chief Probation Officer, Framingham District Court (875-5241) who is chairman of the Education and Training Committee or MacGregor at the Commissioner's office (727-8484).

CHANGES IN PERSONNEL

DESIGNATIONS AS CHIEF PROBATION OFFICER

John J. Wade, Bristol County Juvenile Court, effective November 18, 1974.

DESIGNATIONS AS FIRST ASSISTANT CHIEF PROBATION OFFICER

James J. Donohoe, Third District Court of Eastern Middlesex, Cambridge, effective December 23, 1974.

Edward J. Keegan, Municipal Court of the Roxbury District, effective November 11, 1974.

DESIGNATIONS AS ASSISTANT CHIEF PROBATION OFFICERS

Vincent M. Amoroso, District Court of Marlborough, effective December 15, 1974.

Francis J. Burke, Municipal Court of the City of Boston, effective January 22, 1975.

Alfred J. Ferrari, District Court of Eastern Middlesex, Cambridge, effective December 23, 1974.

Joseph E. Hamilton, Bristol County Juvenile Court, effective November 18, 1974.

Norma J. Kilson, Municipal Court of the Roxbury District, effective November 11, 1974.

Richard A. Luccio, Superior Court for Suffolk County, effective December 18, 1974.

PERMANENT APPOINTMENTS

James Athas, Springfield Juvenile Court, effective February 12, 1975.

Charles R. Benedict, Third District Court of Plymouth, Plymouth, effective January 25, 1975.

Robert Bouyer, 37 Bowdoin Street, Boston, Superior Court for Suffolk County, effective January 13, 1975, a graduate of New Mexico University.

Gerald R. Brown, Superior Court for Plymouth County, effective December 2, 1974.

Thomas E. Casey, 100 Brayton Road, Brighton, Municipal Court of the Brighton District, effective September 25, 1974, a graduate of Boston College and a former worker for the Boston Youth Activities Commission.

Richard W. Chase, Second District Court of Barnstable, Orleans, effective January 16, 1975.

Joseph R. Colgan, District Court of Franklin, Greenfield, effective March 1, 1975.

Edward P. Dalton, Superior Court for Norfolk County, effective December 2, 1974.

Christine M. Farrell, Plymouth Juvenile Probation District, effective December 17, 1974.

Gerarda M. Fulham, Old Post Road, Cotuit, Superior Court for the Counties of Barnstable, Bristol, Dukes County and Nantucket, effective December 2, 1974, a graduate of Trinity College with an M.A. from the University of Chicago.

Leo A. Furfey, First District Court of Barnstable, Barnstable, effective February 16, 1975.

Ann E. Gilboard, First District Court of Southern Middlesex, Framingham, effective January 1, 1975.

John J. Healey, Superior Court for Plymouth County, effective December 2, 1974.

Richard I. Hill, Springfield Juvenile Court, effective January 14, 1975.

Raymond P. Jolicoeur, First District Court of Southern Worcester, Dudley, effective December 1, 1974.

John R. Killion, District Court of Northern Norfolk, Dedham, effective January 18, 1975.

Edward J. Kraus, Springfield Juvenile Court, effective December 13, 1974.

John J. McCarron, First District Court of Northern Middlesex, Ayer, effective February 1, 1975.

Mary Ellen McGann, Middlesex Juvenile Probation District, effective February 1, 1975.

Frederick J. McConaghy, First District Court of Southern Worcester, Dudley, effective February 7, 1975.

Jay L. Merritt, Superior Court for Middlesex County, effective December 2, 1974.

D. Bruce Miller, District Court of Marlborough, effective November 1, 1974.

Jacqueline O'Donnell, District Court of Peabody, effective January 1, 1975.

John F. O'Neil, District Court of Marlborough, effective December 1, 1974.

William W. O'Neil, District Court of Fitchburg, effective January 2, 1975.

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Michael J. Placzek, 2071 Riverdale Street, West Springfield, Superior Court for Hampden County, effective December 2, 1974, a graduate of Westfield State College and a former rehabilitation counselor.

John J. Quinn, Superior Court for Middlesex County, effective December 2, 1974.

Richardson Reid, Second District Court of Barnstable, Orleans, effective February 1, 1975.

Mary Ellen Saracco, Superior Court for Hampden County, effective December 9, 1974.

Christine A. Siragusa, Second District Court of Eastern Middlesex, Waltham, effective February 1, 1975.

Michael C. Smith, Probate Court for Essex County, effective January 1, 1975.

Peter A. Spina, District Court of Central Berkshire, Pittsfield, effective February 1, 1975.

Robert L. Sullivan, District Court of Eastern Hampden, Palmer, effective January 2, 1975.

Cecilia G.S. Todd, First District Court of Essex, Salem, effective February 8, 1975.

William A. Walsh, Bristol County Juvenile Court, effective February 1, 1975.

Hilary F. White, 771 Broadway, Fall River, Superior Court for Barnstable, Bristol, Dukes County and Nantucket, effective December 2, 1974, a graduate of Southeastern Massachusetts University and a former pre-trial services co-ordinator.

Joyce A. Wise, Springfield Juvenile Court, effective February 12, 1975.

Susan P. Zuker, District Court of Northern Norfolk, Dedham, effective January 16, 1975.

TEMPORARY APPOINTMENTS

John A. Allen, 58 Beauchamp Terrace, Chicopee, District Court of Holyoke, effective October 7, 1974, a graduate of the University of Ottawa.

Ronald C. Arruda, 38 Oxford Street, Fall River, Second District Court of Bristol, Fall River, effective January 2, 1975, a graduate of Southeastern Massachusetts University and a former hospital social worker.

Stephen R. Barsky, Shore Line Drive, West Brookfield, Central District Court of Worcester, effective January 2, 1975, a graduate of Boston University and former adolescent counselor.

David B. Connerty, 4 Hallmark Gardens, Burlington, Third District Court of Eastern Middlesex, Cambridge, effective December 23, 1974, a graduate of Boston State College.

Eileen A. Conradi, 402 Ridge Avenue, Cambridge, Superior Court for Suffolk County, effective December 2, 1974.

Michael S. Ghazil, 28 Barnet Street, Springfield, Superior Court for Hampden County, effective December 9, 1974, a graduate of Western New England College, with a M.Ed. from Springfield College.

Charles Jackson, 11 Bowdoin Street, Springfield, District Court of Holyoke, effective December 2, 1974, a graduate of Western New England College and a former parole agent.

James A. Kelly, 6 Frank Street, Woburn, Superior Court of Essex County, effective December 9, 1974, a graduate of Suffolk University.

Christine LaFranchi, 10 Nelson Lane, Rehoboth, Bristol County Juvenile Court, effective February 10, 1975, a graduate of American University and a former youth counselor.

Gerald C. Murray, 30 Willow Avenue, Wollaston, Norfolk County Probate Court, effective November 18, 1974, a graduate of Providence College.

Edward P. Quimby, 50 Putnam Avenue, Lowell, District Court of Lowell, effective January 2, 1975, a graduate of Clark University.

Joseph V. Tavada, 1050 Tremont Street, Boston, Municipal Court of the City of Boston, effective December 11, 1974, a graduate of Kentucky State University and former rehabilitation counselor.

Louis B. Zizza, 16 Bancroft Street, Lynnfield, Municipal Court of the Charlestown District, effective December 18, 1974, a graduate of Northeastern University with a M.S.E.E. from the same school.

LEAVE OF ABSENCE

Ann M. Doherty, Central District Court of Northern Essex, Haverhill, effective February 16, 1975.

RETURNED FROM LEAVE

Richard C. Westmoreland, Municipal Court of Dorchester, effective January 2, 1975.

RESIGNED

Elinore M. Kennedy, Assistant Chief Probation Officer, Bristol County Juvenile Court, effective January 21, 1975.

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P.O.'s COMPLETE ORIENTATION COURSE

Congratulations to the following probation officers who have successfully completed the Probation Orientation Course held at the Barnstable County Police Service Center on November 4-8, 1974, the State Police Training Academy in Framingham on November 18-22, 1974 and December 9-13, 1974, and the Springfield Technical Community College on December 2-6, 1974, and who have been awarded a course completion certificate.

Michael J. Albano	Westfield District
Stephen G. Alpers	Milford District
James Athas	Springfield Juvenile
Marcia D. Bellermann	Middlesex Juvenile District
Ronald R. Berube	Fall River District
Daniel R. Bettencourt	Peabody District
Bruce J. Brown	Lawrence District
Joseph Burke	Middlesex Superior
Rosetta M. Burns (student intern)	Office of the Commissioner
Christopher F. Callahan	Westfield District
Robert E. Campbell	Nantucket District
David G. Carney	Worcester Juvenile
Richard W. Chase	Orleans District
Walter A. Conward	New Bedford District
Ronald P. Corbett	Brookline Municipal
Michael S. Cowan	Malden District
Alfonso Denson	Brookline Municipal
Peter Driscoll	Dedham District
Luis F. Duran	Roxbury Municipal
Michael P. Durette	Dedham District
David C. Ellison	Palmer District
William F. Fahey	Cambridge District
Christine M. Farrell	Plymouth Juvenile District
Donna M. Fawcett	Ayer District
Michael J. Finucane	Waltham District
John J. Fitzgerald	Springfield District Court
Michael T. Fitzpatrick	Gardner District
James F. Flannery	Fall River District
Patricia A. Flynn	Lawrence District
Leo F. Furfey	Barnstable District
Ellen F. Genereux	Roxbury Municipal
Nancy M. Grossman	So. Worc. Juvenile District
Richard I. Hill	Springfield Juvenile
Timothy J. Kelleher	Cambridge District
Elizabeth A. Kittredge	Barnstable District
Mary L. Lippold	Concord District
Mary Ellen McGann	Fitchburg District
Frederick J. McGonaghy	Dudley District
John H. Mezzetti	Barnstable District
Jane M. Nagle	Peabody District
Jacqueline J. O'Donnell	Peabody District
John F. O'Neil	Marlborough District
William M. O'Riordan	Northampton District
Richardson Reid	Orleans District
Stephen P. Santora	Westborough District
Mary Ellen Saracco	Hampden Superior
Michael C. Smith	Essex Probate Court
Leonel O. Souza	Orleans District
Robert L. Sullivan	Palmer District
Kathleen R. Taylor	Suffolk Probate
Michael W. Thomas	New Bedford District
Bernard V. Tobin	Northampton District
Robert A. Tobin	Hingham District
William J. Tobin	Plymouth District
Cecilia G.S. Todd	Salem District
William A. Toye	Salem District
David J. Uguccioni	Palmer District
James J. Umile	Woburn District
Richard A. Westgate	Dedham District
Bruce D. Wickman	Gardner District
Buddy Lee Williams	Springfield District
Joyce A. Wise	Springfield Juvenile

CHANGES IN PERSONNEL
cont. from page 6

Mary E. Murphy, Middlesex Juvenile Probation District, effective February 1, 1975.

Bartholomew J. Newman, First District Court of Eastern Middlesex, Malden, effective February 28, 1975.

Mark J. Regan, Lowell District Court, effective December 31, 1974.

RETIRED

Raymond P. Connerty, First Assistant Chief Probation Officer, Third District Court of Eastern Middlesex, Cambridge, effective November 30, 1974. Mr. Connerty entered the probation service in 1946.

Robert T. Hughes, Deputy Probation Officer, Municipal Court of the City of Boston, effective December 31, 1974. Mr. Hughes entered the probation service in 1942.

BOSTON MUNICIPAL COURT ANNOUNCES VACANCY

There will soon be a vacancy in the position of Chief Probation Officer in the Boston Municipal Court. Although promotion to fill this vacancy may be made from within that court's present probation office staff, the court is interested in receiving applications from other candidates with administrative experience in the probation service. Letter, with resumes, should be submitted in duplicate to Chief Justice Jacob Lewiton of the Boston Municipal Court.

The Office of the Commissioner of Probation, in conjunction with the Massachusetts Probation Association, will begin shortly to plan for the 1975 Annual Probation Conference. The enclosed questionnaire seeks your evaluation of the Conference held in Springfield last October and your ideas and suggestions for the 1975 Conference. Please fill out this questionnaire and return, as soon as possible to: Mr. Richard Villa, Director - Program Planning and Management Unit Office of the Commissioner of Probation- Room 206 New Court House Boston, MA 02108

MASSACHUSETTS ANNUAL PROBATION CONFERENCE QUESTIONNAIRE - MARCH, 1975

Please check off the workshops you attended at the 1974 Probation Conference.

_____ 1 Probate Court Probation
_____ 2 Pre-trial Diversion for the Female Offender
_____ 3 Data Processing and Probation
_____ 4 Volunteers and Probation
_____ 5 Violation of Probation: Problems and Procedure
_____ 6 The Group Concept-Does it Have a Place in Juvenile Probation?
_____ 7 Investigations--Current Theories
_____ Did not attend the 1974 Conference

Which of these workshops did you feel was of most value to you as a probation officer?

_____

Several changes in the format of the Annual Probation Conference have been suggested. Please indicate your opinion of each of these ideas.

	Approve	Disapprove	No Opinion
1. General Sessions followed by small work groups all discussing and making recommendations upon the same topic. Four topics to be covered in a two day period.	_____	_____	_____
2. Continue workshop format but relate each to a single theme of general interest to probation officers.	_____	_____	_____
3. Distribute prepared remarks in advance and devote meetings to discussion and comments by participants.	_____	_____	_____

Is there any other change in format you would recommend?_____

_____

Please list in the space below any topics or issues you feel should be considered in our planning for the 1975 Annual Probation Conference.

1. _____
2. _____
3. _____
4. _____
5. _____

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MASSACHUSETTS PROBATION

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BULLETIN FROM THE OFFICE OF THE COMMISSIONER OF PROBATION

Volume 9 Number 2 June 1975

REGIONAL PROBATION IS TESTED IN MIDDLESEX COUNTY

Probationers in five Middlesex County district courts are receiving significant benefits from a recently created organization called Middlesex County Regional Probation. Sponsored by Commissioner C. Eliot Sands and the chief probation officers of the district courts of Malden, Woburn, Concord, Somerville and Cambridge, the project (which also has non-profit corporation status) has as its executive director, Paul White. It was established in April, 1974 with the help of an LEAA grant of $163,000. It has recently received additional grants of $229,000, has added the Lowell Court to its membership and provides Middlesex County probationers with a variety of employment, education, housing and recreation services.

Finding jobs and providing training is a prime priority of MCRP. The new organization has placed approximately 20 probationers in on-the-job training programs and has paid half of their salaries (up to $75 per week) for as long as 18 weeks. Recently-trained probationers now hold steady jobs in a number of public and private organizations.

Other employment efforts include referrals to job finding agencies such as CETA and the Division of Employment Security (DES) Job Bank. In this connection, MCRP has been instrumental in helping local probation offices to obtain a job screening machine which lists all DES openings. As a supportive service, a DES counselor has been assigned to the Cambridge Court two days a week and Somerville and Concord Courts will be assigned counselors shortly.

However, the economic downturn with a resultant scarcity of jobs has slowed job placement, White said. To alleviate this situation, he is trying to convince Department of Labor officials to allow MCRP to fund the full initial salary of trainees in order to create added incentive for employers to hire trainees.

Some clients (possibly as many as 400) are not yet ready to work and MCRP has requested funds from the Massachusetts Office of Manpower Affairs to conduct social and job skills training through small group counseling, role playing and psychodrama to prepare probationers for work situations.

Closely related to regional probation employment programs are educational priorities. About 40 people have entered classes in secretarial training, cooking, and day care supervision. About 30 people have completed training and more than 20 have been placed in jobs. In some situations, educational courses are not related to a specific skill, but are concerned with acquiring general knowledge. For example, six or seven probationers are taking tuition-free high school equivalency courses. In a few instances, juvenile probationers have been placed in alternative schools after dropping out of regular classes.

MCRP housing assistance is limited, primarily, to short-time emergency shelter. To date, approximately ten persons have been given temporary residence for an average stay of about six weeks. Recreation programs include a variety of activities. Last year, MCRP helped place approximately 40 youths in summer camps and also sponsored a large group trip to a sporting event. This year, however, more emphasis has been placed on helping probation officers and clients in smaller groups with activities such as overnight camping trips and sailing and fishing outings.

Besides supplying direct services to probationers at the request of probation officers, MCRP helps in case management. David Lelos, consultant to the Cambridge Court, is training probation officers in case classification. Another project involves computerization of the Cambridge Court probation records which is intended to improve administrative feedback on probation cases and permit statistical summary of caseload characteristics. If it proves successful, the project could be expanded to other Middlesex courts.

The services which MCRP is currently providing are the result of a previous step-by-step planning process. Beginning in June, 1974 and continuing through September of the same year, probation officers met with Vincent O'Leary, nationally known consultant, to identify client needs and resources to meet these needs. Available resources were then evaluated and from this assessment, the four priority areas of unmet

cont. on page 6

Editor: Michael Hutner

Assistant Editor: Ann Cronin

The bulletin is published quarterly for the information of the Probation Service, the Judiciary, and the interested public. Correspondence should be sent to: Editor, Room 206, New Court House, Boston, MA 02108.

Publication Number:6351
(9-500-6/75-CR)

Approved by Alfred C. Holland
State Purchasing Agent

PROBATE COURT OFFICERS ATTEND CONFERENCE

by James Casey

Editor's Note:

James Casey is Probation Officer-in-Charge of the Bristol County Probate Court Probation Office.

From April 10 through April 12, probation officers of the Probate Court attended the first "Substantive Family Law and Probate Practice and Procedure Seminar" at the Holiday Inn in Framingham, Massachusetts. Sponsors of the conference were the Honorable Alfred L. Podolski, Chief Judge of the Probate Court, C. Eliot Sands, Commissioner of Probation, and the Probation Officers Educational Committee. Comments from Chief Judge Podolski and Commissioner Sands opened the proceedings.

Discussion of the varied practices and procedures in Probate Courts were scheduled throughout the three-day meeting, and two of the many very beneficial workshops are discussed below. Workshop panelists and participants included judges of the Probate Court, probate court probation officers, district court probation officers with domestic relations caseloads, court officials and distinguished members of the bar.

The issues of custody and visitation, presented at a workshop by the Honorable Robert M. Ford, Judge of the Norfolk County Probate Court, delineated the criteria which Judge Ford uses in making decisions on these issues. Daniel C. Schuman, M.D., Director of Psychiatry in the Norfolk County Probate Court, followed with an explanation of the operations of the supportive court clinic which he heads. Dr. Schuman stated that he makes no specific recommendations regarding clients who are referred to him from the court. Instead he viewed his role as that of a catalyst, providing clients with an opportunity to discuss their problems and to explore possible solutions which might resolve their legal dilemma. Dr. Schuman emphasized that he did not see his role as that of an advocate for either court or client. He said that he "avoids testifying" as a matter of practice and has thus far been successful in maintaining a neutral position in the cases in which he has been involved.

Dr. Schuman's remarks received some adverse reaction. Several comments from the floor indicated that, in many counties, referrals to psychiatric agencies are made with the expectation that resulting evaluations and recommendations will be of assistance in the determination of custody and visitation cases.

On Friday, April 11, the workshop dealing with Adoption of Children (Ch. 210 petitions) featured Elaine M. Moriarty, attorney for the Boston Legal Aid Society and Frederick Grosso, attorney for the Department of Public Welfare. The workshop covered many problems concerning adoption petitions as well as the difficulties which arise in placing children after adoption releases are granted by the court.

The major criticism of the Welfare Department was that many children who have been processed for adoption have, in fact, not yet been placed many months after availability has been determined. It was pointed out by those attending the workshop that there is a legal requirement that the Department provide a specific plan of adoption to the court during release proceedings. In practice this requirement is sometimes ignored. Specific cases were cited in which emancipated children had not, in fact, been placed for years after their adoption releases were obtained. The possibility that the courts could insure proper action by the Department of Public Welfare was then suggested. However, it was pointed out by the Honorable Robert L. Yasi, Judge of the Suffolk County Probate Court, that it would be unreasonable to place the courts in the position of having to administer and supervise the activities of the Department of Public Welfare. Judge Yasi emphasized the need for the Department to adhere to its adoption plans and to make needed adjustments that would facilitate the speedy placement of children in need of homes.

Adoption of children and custody and visitation were only two of many workshops held at the highly successful and well attended conference. All the sessions provided stimulating forums for the exchange of ideas and the expression of conflicting opinion, part of the continuing process of definition and debate about responsibilities and duties of Family Service Officers.

The entire proceedings were taped with the assistance of Chief Judge Podolski and his staff and there are plans to edit these tapes and to use them in preparing a manual to be used in training new Family Service Officers.

RHODE ISLAND REDUCES INTERSTATE SERVICE

Increased requests and reduced staff have forced the Rhode Island Department of Adult Probation and Parole to curtail its practice of conducting pre-sentence field investigations of Rhode Island residents for out-of-state courts.

Walter W. Sawicki, Administrator recently announced that his department could comply with out-of-state requests for (field) investigations only under the following guidelines:

> The case must have a plea of Guilty, Nolo or a finding of guilty after hearing or trial and must represent a final court adjudication (from which the defendant does not plan to appeal).

Requests for information already on file in the Rhode Island Department and not requiring further field investigation will be available as usual.

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PROBATION HEARING MAY CREATE DILEMMA

Editor's Note:

The following article is a reprint of a paper prepared for the Honorable Walter H. McLaughlin, Chief Justice of the Superior Court by Paul M. Vaughn, Esq., law clerk for the Chief Justice.

As a logical result of the expansion of an individual's right against self-incrimination and the expansion of the due process right to a hearing in a plethora of situations involving state action, the judiciary is often faced with the perplexing task of reconciling an individual's right to be heard in one proceeding with his right not to incriminate himself in another proceeding. The problem is exacerbated when dealing with the right against self-incrimination since the United States Supreme Court has clearly established the principle that an individual's exercising his right to remain silent must not lead to the state's imposing a deprivation or loss upon the individual for that exercise. For example, in Garrity v. New Jersey, 385 U.S. 493 (1967), the Court held that the right against self-incrimination prohibits the state's using in a criminal proceeding statements made by the accused under the threat of job forfeiture if he remained silent, and in Spevak v. Klein, 385 U.S. 511 (1967), the Court reversed on Fifth Amendment grounds a New York disbarment proceeding motivated by an attorney's refusing to produce certain documents claiming a self-incrimination privilege.

During the period in which the Court has held that an individual's right to remain silent must not be "burdened," it has also greatly expanded the right of an individual to have a hearing prior to the government's interfering with his liberty or property. See, e.g., Goldberg v. Kelley, 397 U.S. 254 (1969); Fuentes v. Shevin, 407 U.S 67 (1972). Recently, the Court extended the right to a hearing to individuals faced with a revocation of their parole or probation by a state's criminal justice authorities. Morrissey v. Brewer, 408 U.S. 471 (1972); Gagnon v. Scarpelli, 411 U.S. 778 (1973). Based upon similar reasoning, the First Circuit Court of Appeals extended the due process right to a hearing to within the prison walls holding that a prison inmate must have "some due process" before he "...could be sentenced to punitive segregation and recommended for a downgraded classification." Palmigiano v. Baxter, 487 F.2d. 1280, 85 (1st. Cir. 1973).

Given the seemingly inexorable expansion by federal courts of the Fifth Amendment right to remain silent and the due process right to a hearing, it became inevitable that in some areas the two rights would be in an apparent "state of tension"; the individual has a right to a hearing and to be heard in one proceeding while his speaking renders his right against incriminating himself in another proceeding a nullity if his statements can be used against him in that other proceeding. This problem is most acute when an individual currently under the supervision of a state's criminal justice system allegedly commits a subsequent crime which would lead to a possible incarceration or further deprivation of liberty for his violating the terms of his probation or parole on the prior crime as well as leading to prosecution on the subsequent crime. Under Gagnon and Morrissey, the state must observe certain due process requirements prior to revoking the probationer's or parolee's current status, and at that hearing the probationer or parolee has a constitutional right to speak in his own behalf. However, this right to be heard suffers a severe "chill" when the individual faces a subsequent criminal trial on the alleged criminal offense which precipitated the revocation hearing. If he does speak, any incriminating statements he may make will almost certainly be used against him by the prosecution at the subsequent criminal trial, and if he does not speak, he foregoes his basic right to be heard on why his probation or parole should not be revoked.

Recognizing this conundrum, federal courts tried to devise various means of protecting an individual's right not to incriminate himself while giving him a meaningful hearing on the revocation or disciplinary issue. For example, in Melson v. Sard, 402 F.2d 653 (D.C. Cir. 1968), the District of Columbia Court of Appeals held that "...any self-incriminatory statements made in a parole revocation hearing shall not be used affirmatively against the parolee in any subsequent criminal proceeding." Id. at 655. The Melson court felt that the same policies and interests were at stake in a parolee's speaking without fear of self-incrimination at his revocation hearing as were protected by the Supreme Court in the Garrity-Spevak line of cases, and the proper remedial rule would be similar to that applied in Simmons v. United States, 390 U.S. 377 (1968) where the Supreme Court held that statements made by a criminal defendant during a pre-trial suppression hearing in order to establish standing to assert a Fourth Amendment claim may not be subsequently used against him at the criminal trial. The Supreme Court in Simmons felt that such a rule was necessary to reconcile the "tension" between a defendant's Fourth and Fifth Amendment rights, and the District of Columbia Court of Appeals reasoned that a similar rule would ameliorate the "tension" between a parolee's right to a pre-revocation hearing and his right against self-incrimination at a subsequent trial.

The First Circuit Court of Appeals relied in part upon Melson in the Palmigiano case when it held that "(w)here the possibility exists of (an) inmate being penalized for the same criminal conduct in a disciplinary hearing and a criminal trial, he should be entitled to 'use' immunity for statements he might make within the prison disciplinary hearing. 487 F.2d at 1289. Again, the court felt that the constitutional need to reconcile an individual's right to be heard with his right against incriminating himself mandated such an evidentiary rule.

FLINT V. MULLEN, 499 F.2d 100 (1st Cir. 1974)

In light of Simmons, Melson, and Palmigiano, it was not unexpected when the Rhode Island Federal District Court granted the petition for habeas corpus of one Flint who claimed that Rhode Island's scheduling of his probation revocation hearing prior to his trial for a subsequent criminal offense denied him due process at the revocation hearing; the District Court held that insofar as Flint was not provided with "use"

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Probation Hearing May Create Dilemma

immunity for any statement he might make at the revocation hearing, he was denied due process. 499 F.2d at 102. Over a dissent by Chief Judge Coffin, the First Circuit reversed the District Court distinguishing Simmons and Palmigiano. The court's per curiam opinion pointed out that in Simmons, Palmigiano and the "employment" cases (Garrity, Spevak, et al) the defendant's exercise of his Fifth Amendment privilege led to a direct, causally connected sanction; in Simmons, the defendant would have lost his Fourth Amendment rights through silence; in Palmigiano, the inmate would have been prejudiced as a matter of prison policy through silence; in the employment cases, the defendants all faced job forfeiture through silence. Flint, however suffered a "loss" through the voluntary strategic choice of remaining silent. The state would not automatically revoke his probation due to his remaining silent, and the lost opportunity to present his position personally is essentially the choice a defendant makes at a criminal trial by remaining silent. If the accused does not take the witness stand, he avoids the dangers of cross-examination and impeachment by prior crimes. Of course, the accused also foregoes the opportunity of presenting a credible story of innocence or at least creating a bond of sympathy with the jury. The Supreme Court held that such a dilemma does not reach constitutional proportion in the case of McGautha v. California, 402 U.S. 183 (1971). The defendant in McGautha challenged the pre-Furman unitary trial system in which the jury determined both guilt and disposition during the same proceeding in capital cases. McGautha argued that such a system unconstitutionally burdened his right to remain silent by forcing a choice of incriminatorily speaking in order to dissuade the jury from the death penalty or remaining silent and foregoing his due process right to be heard on disposition. Acknowledging that the unitary trial system had certain deficiencies, the Court held, however, that all variances from a judicial ideal are not constitutionally invalid. Thus, the Flint court read McGautha as establishing the principle that an individual's being placed in the dilemma of strategically choosing between exercising his right to be heard at the expense of his right against incriminating himself in a subsequent criminal trial does not unconstitutionally burden either guarantee. Therefore, the state's holding a probation revocation hearing prior to a criminal trial for an alleged subsequent offense which is also the subject of the revocation hearing does not create a constitutionally impermissible burden upon the defendant's choice of speaking or remaining silent so long as the defendant's silence is not formally held against him at the hearing.

PEOPLE V. COLEMAN, 120 Cal. Rptr. 384 (1975)

Against the foregoing constitutional background when probationer Coleman appealed to the California Supreme Court challenging the state's scheduling his probation revocation hearing prior to a subsequent criminal trial, the court stated that:

> (t)he only problem to be resolved in the instant case is the danger of abuse by the state of its opportunity to coerce self-incriminatory testimony by scheduling the probation revocation hearing in advance of trial. Id. at 401.

The court abstained from resolving the defendant's constitutional claim in light of the federal law's "current state of confusion," but it did conclude that the state's scheduling the revocation hearing prior to the criminal trial frustrated two of the policies underlying the Fifth Amendment's self-incrimination clause: requiring the government to assume the entire burden of proving a defendant's guilt and not exposing a defendant to the "cruel trilemma of self-acccusation, perjury or contempt. Murphy v. Waterfront Commission, 378 U.S. 52 (1964)." Id. at 394. Furthermore, the court noted that the "chill" placed upon the defendant's due process hearing right acted to thwart the due process policy of assuring "informed, intelligent and just" revocation decisions as well as enhancing the criminal justice system's goal of rehabilitation by treating those within the supervision of the system with rudimentary fairness." [1] Id. at 391.

Thus, the court in Coleman in order to vindicate "constitutional values" held as a matter of state evidentiary law that:

> Upon timely objection the testimony of a probationer at a probation revocation hearing held prior to the disposition of criminal charges arising out of the alleged violation of the condition of his probation, and any evidence derived from such testimony, is inadmissible against the probationer during subsequent proceedings on the related criminal charges, save for purposes of impeachment, or rebuttal where the probationer's revocation hearing testimony or evidence derived therefrom and his testimony on direct examination at the criminal proceeding are so clearly inconsistent as to warrant the trial court's admission of the revocation hearing testimony or its fruits in order to reveal to the trier of fact the probability that the probationer has committed perjury at either the trial or the revocation hearing. Id. at 402.

IMPLICATION OF COLEMAN FOR MASSACHUSETTS PROBATION PRACTICE

Since it is clear that the Coleman rule is presently not constitutionally compelled; the Massachusetts judiciary can fully review the rule and either accept or reject it as a matter of state law. Actually, due to a general policy of the probation office of holding revocation hearings after District Court proceedings, in many cases the probationer will not face the "dilemma." Of course, should he appeal to the Superior Court for a trial de novo or if the District Court proceeding were only a probable cause hearing, the problem will arise since the probation policy is to hold the hearing after the District Court proceeding but prior to the Superior Court action. Guidelines Regarding Surrender and Revocation of Probation, II A-8-73 of December 13, 1973. Moreover, whenever a probationer appeals his subsequent conviction and is granted a new trial, any testimony he gave at a hearing held subsequent to the first trial on his new crime will be possibly self-incriminating. This latter issue is one which no court dealing with the problem to date has either recognized or addressed which is rather odd since a court's wishing to

[1] As the First Circuit noted in Flint, holding the hearing prior to trial may not always work to the probationer's disadvantage since a finding at the hearing that the probationer did not commit the crime may be res judicata. 499 F.2d at 103 n.4.

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CHANGES IN PERSONNEL

DESIGNATIONS AS CHIEF PROBATION OFFICER

Richard J. Dwyer, Acting, Municipal Court of the Dorchester District, effective June 4, 1975, on leave from the District Court of Southern Norfolk, Stoughton.

George R. Skelly, Municipal Court of the City of Boston, effective April 16, 1975.

DESIGNATIONS AS FIRST ASSISTANT CHIEF PROBATION OFFICER

John S. Tobin, Municipal Court of the City of Boston, effective April 23, 1975, former First Assistant Chief Probation Officer, District Court of Lowell.

DESIGNATIONS AS ASSISTANT CHIEF PROBATION OFFICER

Jeanne Asselin, Acting, Bristol County Juvenile Court, effective February 10, 1975.

Donald J. DeMita, Middlesex County Probate Court, effective March 10, 1975.

PERMANENT APPOINTMENTS

John A. Allen, District Court of Holyoke, effective April 1, 1975.

Walter J. Avis, Worcester County Probate Court, effective March 1, 1975.

Ronald R. Berube, Second District Court of Bristol, Fall River, effective April 1, 1975.

Daniel R. Bettencourt, District Court of Peabody, effective April 1, 1975.

Julius H. Britto, Fourth District Court of Plymouth, Attleboro, effective February 11, 1975.

Bruce J. Brown, District Court of Lawrence, effective March 1, 1975.

David C. Carney, Worcester Juvenile Court, effective March 18, 1975.

Ronn L. Coltin, Central District Court of Northern Essex, Haverhill, effective May 1, 1975.

Ronald P. Corbett, Municipal Court of Brookline, effective March 26, 1975.

Alfonso Denson, Jr., Municipal Court of Brookline effective March 9, 1975.

Edward A. Dubilo, Fourth District Court of Plymouth, Wareham, effective January 2, 1975.

William F. Fahey, Third District Court of Eastern Middlesex, Cambridge, effective March 10, 1975.

Michael J. Finucane, Second District Court of Eastern Middlesex, Waltham, effective April 1, 1975.

Michael T. Fitzpatrick, First District Court of Northern Worcester, Gardner, effective April 29, 1975.

James F. Flannery, III, Second District Court of Bristol, Fall River, effective March 1, 1975.

Patricia A. Flynn, District Court of Lawrence, effective March 1, 1975.

Ellen F. Genereux, Municipal Court of the Roxbury District, effective June 19, 1975.

Michael S. Ghazil, Superior Court for Hampden County, effective May 1, 1975.

Peter Hoffman, Municipal Court of the City of Boston, effective April 23, 1975.

Charles Jackson, District Court of Holyoke, effective April 1, 1975.

Timothy J. Kelliher, Third District Court of Eastern Middlesex, Cambridge, effective March 3, 1975.

Paula Larkowicz, Probate Court for Suffolk County, effective April 22, 1975.

Terri Marino, Boston Juvenile Court, effective March 26, 1975.

Thomas J. Mitchell, District Court of Northern Norfolk, Dedham, effective March 11, 1975.

Nassareno N. Modica, Municipal Court of the City of Boston, effective April 30, 1975.

Bernard J. Mulholland, Fourth District Court of Plymouth, Wareham, effective January 2, 1975.

James E. Spencer, Municipal Court of the Roxbury District, effective June 8, 1975.

Paul E. Stukowski, Central District Court of Worcester, Worcester, effective May 4, 1975.

Michael G. Sullivan, Second District Court of Bristol, Fall River, effective March 1, 1975.

William A. Toye, Jr., First District Court of Essex, Salem effective July 1, 1975.

Robert D. Trostel, District Court of Southern Norfolk, Stoughton, effective April 17, 1975.

Bruce D. Wickham, First District Court of Northern Worcester, Gardner, effective April 29, 1975.

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LEGISLATION OF INTEREST TO PROBATION SERVICES IS ENACTED

The following legislation which is of interest to the probation service has recently been signed into law. Anyone wishing a copy of the complete text of a specific law may write to the Editor, Massachusetts Probation, 206 New Court House, Boston, MA 02108.

Chapter 276, AN ACT Extending the Age of Children in Need of Care and of Children Concerning Whom Reports of Abuse and Neglect Are Required From Sixteen to Eighteen Years. Approved May 29, 1975.

****

Chapter 27, AN ACT Further Regulating the Depositing of Funds by County Officers and Employees. Approved February 12, 1975.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 35 of the General Laws is hereby amended by inserting after section 22 the following section:-

Section 22A County treasurers, clerks of the courts, clerks of district courts, sheriffs and masters of jails and houses of correction, probation officers, registers of probate and insolvency and registers of deeds shall not deposit any of the funds for which they are accountable in any national bank, trust company or banking company with which such county treasurer or county officer is associated as an office or employee or has been associated as an officer or employee at any time during the preceding three years.

****

Chapter 278, AN ACT, Relative to the Records of Delinquent Children. Approved May 20, 1975.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 100A of chapter 276 of the General Laws, as amended by section 1 of chapter 525 of the acts of 1974, is hereby further amended by striking out the fifth and sixth paragraphs and inserting in place thereof the following two paragraphs:-

An application for employment used by an employer which seeks information concerning prior arrests or convictions of the applicant shall include the following statement: "An applicant for employment with a sealed record on file with the commissioner of probation may answer 'no record' with respect to an inquiry herein relative to prior arrests, criminal courts appearances or convictions. An applicant for employment with a sealed record or file with the commissioner of probation may answer 'no record' to an inquiry herein relative to prior arrests or criminal court appearances. In addition, any applicant for employment may answer 'no record' with respect to any inquiry relative to prior arrests, court appearances and adjudications in all cases of delinquency or as a child in need of services which did not result in a complaint transferred to the superior court for criminal prosecution." The attorney general may enforce the provisions of this paragraph by a suit in equity commenced in the superior court.

The commissioner, in response to inquiries by authorized persons other then any law enforcement agency, any court, or any appointing authority, shall in the case of a sealed record or in the case of court appearances and adjudications in a case of delinquency or the case of child in need of services which did not result in a complaint transferred to the superior court for criminal prosecution, report that no record exists.

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cont. from page 1

REGIONAL PROBATION

needs (employment, education, housing and recreation) were identified. Specific projects in each of the priority areas were then formulated.

Key to the overall direction of the program is the participation of Middlesex chief probation officers, Anthony J. DiNatale of the Cambridge District Court, Norman S. Ingalls of the Somerville District Court, David P. Rossiter of the Malden District Court, Charles A. Winchester of the Woburn District Court, and most recently, John J. O'Neill of the Lowell District Court. They serve on the Board of Directors under the chairmanship of Edward J. Gaffey, Chief Probation Officer of the Concord District Court.

Assisting in the initial formulation of policy in each of the four priority areas are probation officers who serve on task forces. "It's the role of the task force to raise and discuss basic issues regarding allocation of employment funds," explained Arthur Centanni, probation officer for the Concord District Court and member of the employment task force. "It's important also, that we help make certain that programs are well implemented."

One of the most important consequences of the regional probation project is an increased sharing of ideas among chief probation officers as well as among line probation officers. CPO Gaffey reports that one outgrowth of MCRP has been mutual visits among the chiefs to each other's offices to learn more about varying procedures in each of the courts. Increasing communication between courts, making available management consultation, establishing a more careful planning process and providing increased services in employment, education, housing and recreation are making MCRP invaluable to the courts of Middlesex County.

BASIS OF PROBATION SERVICE COSTS IS CHANGED

The annual report on the cost of probation service which is sent to the Office of the Commissioner for the period ending December 31 of each year is being converted from a calendar year basis to a fiscal year basis. In order to effect a smooth transition we are asking each court to compile figures concerning the cost of probation service for an eighteen-month period beginning January 1, 1974 and ending June 30, 1975.

Blanks which will be mailed out during the month of August, 1975 should be returned as soon as possible. Your cooperation during the transition period will be deeply appreciated.

COMMISSIONER ISSUES STANDARD FOR PROBATION OFFICER VACATIONS

In January, 1975, the Commissioner issued a standard, approved by the Committee on Probation, regarding the length of vacation periods for probation officers. The standard is reprinted in its entirety as follows:

Pursuant to G.L., Chap. 276, Sec. 99 as amended, the following standard, approved by the Committee on Probation, is established and is ordered by the Committee on Probation to be disseminated by the Commissioner.

Ambiguity having arisen within the probation service relative to the length of vacation periods for probation officers throughout the Commonwealth, and the problem having been submitted to the Committee on Probation for determination, the Committee on Probation observes that for many years the probation service, acting through the Commissioner of Probation, has interpreted General Laws, Chapter 276, Section 89, as authority for granting a vacation period of 30 days. The Committee on Probation does not adopt or affirm that interpretation, but in order to provide a definitive vacation schedule the Committee now formulates the following policy, merging it with whatever authority, if any, is existent in General Laws, Chapter 276, Section 89, relative to vacations and taking into account the long-standing interpretation of General Laws, Chapter 276, Section 89 heretofore adopted and followed by elements of the probation service:

Effective February 1, 1975, the vacation policy applicable to all probation officers shall be as follows:

1. In order for any probation officer to be entitled to any period of vacation, he or she shall have served as a probation officer at least one full year in the service of the Commonwealth or any subdivision.

2. The maximum annual vacation period to which any probation officer shall be entitled is five weeks upon completion of one year in the service.

3. For a probation officer who has served less than one year, vacation time, if authorized in the discretion of the appointing authority, shall be prorated at the rate of two days per full month of service.

4. If a holiday falls within a vacation period it shall be considered part of the vacation period.

5. The granting of specific vacation period shall be arranged only with the approval of the appointing authority, or when this authority is delegated, approval of the Chief Probation Officer.

6. Vacation time is not to be taken by a probation officer on an interrupted or separate day-to-day basis without prior approval of the appointing authority, or when this authority has been delegated, approval of the Chief Probation Officer, and then only for unusual or compelling circumstances.

7. No probation officer shall absent himself or herself from assigned duty except with the prior authorization of the appointing authority, or when this authority has been delegated, authorization of the Chief Probation Officer. Authorized absences shall be charged against the vacation allowance for the current year, if not then exhausted; otherwise such absences, unless due to illness or physical disability, shall be without compensation.

8. Unauthorized absence shall be cause for disciplinary action.

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cont. from page 4

"insulate" a probationer from the dangers of speaking freely would have to require that a revocation hearing be held only after all appellate rights are exhausted or apply the Coleman rule to any revocation hearing whenever scheduled. Since the first option would have horrendous consequences, I believe a court disposed to deal with this issue would apply an "across the board" Coleman rule.

In conclusion, present Massachusetts probation practice tends to reduce the frequency of the Coleman problem's occurring without entirely eliminating the problem; however, given the complexity of the issue, the fact that it is not constitutionally mandated, and the conflicting values at stake, present Massachusetts practice should continue pending a contrary ruling by an appellate court or a thorough review by the appropriate probation officials.

TRAINING NEEDS ASSESSMENT WILL BEGIN IN JULY

The training needs project described in the last issue of Massachusetts Probation is nearing commencement. Copies of the "request for proposal" (RFP) were sent to the Massachusetts Probation Association (MPA) Education and Training Committee and the Juvenile Probation Training Committee for their review. Bids were then submitted according to guidelines outlined in the RFP.

Proposals were received from six consulting organizations and were reviewed by the Office of the Commissioner (OCP), the MPA Education and Training Committee, the Juvenile Probation Training Committee and the Massachusetts Committee on Criminal Justice staff. The OCP has awarded the contract to the National Council on Crime and Delinquency, and the training needs assessment is scheduled to begin about July 1.

Probation groups and individual probation officers will be involved in the development of the study and its final results. Probation training needs will be studied and programs recommended in many areas of concern; e.g., administration, management, basic probation knowledge and skills, specialized case loads, and variations in needs for different court systems.

Questions about the study, can be answered by John Stuckenbruck, Chairperson of the MPA Education Training Committee and probation officer in the Springfield Juvenile Court (413-781-7700), or by Bob MacGregor of the Office of the Commissioner of Probation (617-727-8484).

LOSD OFFERS HELP FOR EX-OFFENDERS

The Law Offender Services Division (LOSD) can get testing, counseling and training for probation clients, and they can help find jobs.

LOSD, now in its fourth year, is part of the Massachusetts Division of Employment Security (DES). There are forty-two LOSD staff members in fifteen offices and locations throughout Massachusetts. Working in teams which include counselors, job developers and ex-offender community workers, LOSD staff serve clients in DES offices, in eleven courts and in various community-based correctional facilities and half-way houses across the state. Clients are men and women of all ages who want to work, but whose contacts with the criminal justice system, although varying in degree, adversely affect their chances to obtain adequate employment. The emphasis is definitely on vocational planning. Although, in some cases circumstances may make it necessary for an LOSD client to take a temporary job to meet immediate needs he is counseled and encouraged to make longer range vocational plans.

Since Law Offender Services receives Comprehensive Employment Training Act (CETA) funds, CETA training and employment programs are available to Law Offender Service applicants. In many communities LOSD staff is closely coordinated with CETA staff.

Lois Stryker, Supervisor of LOSD, feels that the Division offers many services which could be of value to probation officers. Among these are staff access to the Employment Division's Job Bank, referral services to job training programs, and contacts with employers receptive to hiring ex-offenders.

Besides job finding and placement, LOSD offers a federal government-sponsored bonding program. The ex-offender is eligible for no-cost bonding up to $10,000 for as long as twelve months in circumstances where bonding is required as a condition of employment. The applicant must have applied for work and have been refused because he could not receive commercial bonding.

Another service is known as TNT (Today Not Tomorrow). Two full-time counselors meet, upon request, with groups of ex-offenders. During five daily sessions of four hours each, ex-offenders learn how to find a job, techniques of interviews and other aspects of job related situations.

Ms. Stryker suggests that interested officers establish a continuing working relationship with LOSD. To do this, the probation officer should contact the LOSD counselor in his area to establish a procedure for referrals. Below are listed the office addresses, staff people to contact, and telephone numbers.

LAW OFFENDER SERVICES STAFF
[Listed by area]

Administrative Office
Charles F. Hurley Building
Government Center, Boston
727-3496, 3497, 8579

Staff
Lois E. Stryker, Supervisor
Donald E. Murphy, Principal Counselor
James A. Mahoney, Assistant Supervisor
Eva M. Stephens, Senior Clerk & Typist
Suzanne Dionne, Senior Clerk & Typist

BOSTON AREA

Boston
307 Coolidge House-Room 402 & 404
727-7057, 7942, 7065

Staff
Grace Zajac, Employment Counselor, Mon. - Fri.
Russell Hutchinson, Opport. Developer, Mon. Wed. Fri.
Pedro Lopez, Opport. Developer, Fri.
Jerome Stone, Opport. Developer, Fri.
Russell Kologiski, Community Worker
Richard McCabe, Opport. Developer
Brian Bowles, Employment Counselor
Guy Mathews, Interne, Mon.-Tues.

Roxbury Court Clinic & Probation
85 Warren Street
440-9500

Staff
Brian Bowles, Employment Counselor
Pedro Lopez, Opport, Developer
Richard McCabe, Opport, Developer
Michael Burns, Interne, Mon.-Tues.

Charles Street Jail
215 Charles Street
227-7640

Staff
Russell Hutchinson, Opport. Develo
Tues. - Thurs.

Suffolk County House of Correction
Box 112
Winthrop, Mass.
846-2760

Staff
Pedro Lopez, Opport. Developer,
Mon. - Tues.

SOUTHEAST

Fall River
446 No. Main Street
679-6421

Staff
Joel Finkelstein, Opp. Developer

Brockton
25 White Avenue
586-8100

Staff
Leo McCann, Employment Counselor
James Ireland, Oport. Developer
Peter Clark, Community Worker

NORTHEAST

Lowell
291 Summer Street
457-7641

Staff
Dennis O'Donnell,
Employment Counselor
Manya Teague, Opport. Developer
Charles Carter, Community Worker

Lynn
172A Broad Street
595-6933, 6934

Staff
William Bunker, Employment Counsel
George Mileon, Opport. Developer
David Brady, Community Worker

cont. on page

LOSD OFFERS HELP FOR EX-OFFENDERS

cont. from page 8

CENTRAL

Worcester
51 Myrtle Street
757-3813

Staff
Ed Wirt, Principal Counselor
Doug Tufts, Employment Counselor
Jack Riordan, Opport, Developer
Peter Hollis, Opport. Developer

Worcester Multi-Service Center
90 Madison Street
753-7252

Staff
Paul Maxwell, Employment Counselor
Richard DesPlaines, Community Worker

Fitchburg
356 Broad Street
343-6461

Staff
Robert Godfrey, Employment Counselor
Chico Santos, Opport, Developer

Framingham
206-214 Howard Street
875-5238

Staff
Salvador Cali, Community Worker
Mary Ann Harper, Community Worker

WESTERN

Springfield
655 Page Blvd.
781-4710

Staff
Jack Hostettler, Employment Counselor

Greenfield
31 Federal Street
774-4361

Staff
George Mingus, Community Worker
Jack Hostettler, Tues.

Northampton
29 Pleasant Street
586-2621

Staff
Terry Fairhurst, Community Worker
Jack Hostettler, Fri.

Pittsfield
46 Summer Street
447-7325

Staff
John Johnson, Community Worker
Jack Hostettler, Mon.-Thurs.

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cont. from page 5 *CHANGES IN PERSONNEL*

TEMPORARY APPOINTMENTS

Michael Baldassarre, 55 Jane Street, Randolph, Superior Court for Suffolk County, effective May 1, 1975, a graduate of Stonehill College.

James J. Dwyer, 144 Sunset Drive, Brockton, District Court of Brockton, effective March 19, 1975, a graduate of Norwich University.

Leo Osgood, 55 Deering Road, Mattapan, Municipal Court of the City of Boston, effective April 9, 1975, a graduate of Northeastern University.

Jane K. Shanahan, 11 Broad Street, Groveland, Central District Court of Northern Essex, Haverhill, effective February 18, 1975, a graduate of the University of New Hampshire.

RETURNED FROM LEAVE

A. Gerard Beauchamp, Essex Juvenile District, effective April 1, 1975.

Thomas P. Moriarty, Jr., Superior Court for Hampden County, effective February 19, 1975.

RESIGNED

Marcia D. Bellermann, Middlesex Juvenile Probation District, effective February 1, 1975.

Richard M. Highter, Superior Court for Hampden County, effective April 1, 1975.

Mary Ellen McGann, District Court of Fitchburg, effective January 31, 1975.

RETIRED

Matthew T. Connolly, Chief Probation Officer, Municipal Court of the Dorchester District, effective April 25, 1975.

James E. Flavin, Chief Probation Officer, Municipal Court of the City of Boston, effective April 15, 1975.

Florence J. McCarthy, Municipal Court of the City of Boston, effective April 22, 1975.

John F. McCarthy, First Assistant Chief Probation Officer, Municipal Court of the City of Boston, effective February 25, 1975.

Francis L. Toomey, First Assistant Chief Probation Officer, Superior Court for the County of Suffolk, effective March 31, 1975.

TRANSFERRED

Thomas Moran, Superior Court for Hampden County to Superior Court for Franklin-Hampshire County.

Lawrence J. Camerlin, Municipal Court of the City of Boston, to the First District Court of Eastern Middlesex, Malden, effective April 1, 1975.

Chapter 347 AN ACT Providing for Partial Suspension of Execution of Certain Sentences in the Courts of the Commonwealth.

Be it enacted by the Senate and the House of Representatives in General Court assembled, and by the authority of the same, as follows:

The first paragraph of section 1 of chapter 279 of the General Laws, as amended by chapter 354 of the acts of 1938, is hereby further amended by striking out the first two sentences and inserting in place thereof the following two sentences:-

When a person convicted before a court is sentenced to imprisonment, the court may direct that the execution of the sentence, or any part thereof,* be suspended and that he be placed on probation for such time and on such terms and conditions as it shall fix. When a person so convicted is sentenced to pay a fine and to stand committed until it is paid, the court may direct that the execution of the sentence, or any part thereof,* be suspended for such time as it shall fix and in its discretion that he be placed on probation on condition that he pay the fine within such time. Approved June 16, 1975.

*Emphasis placed by OCP.

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MEMO TO: ALL PROFESSIONALS REQUIRED BY LAW TO REPORT CHILD ABUSE AND NEGLECT

FROM: Robert M. Mulford, General Secretary
CHILDREN'S PROTECTIVE SERVICES

WHO MUST REPORT: Physicians, Medical interns, Medical examiners, Dentists, Nurses, Public and Private school teachers, Educational administrators, Guidance counselors, Family counselors, Probation officers, Social workers, Policemen.

WHERE

Brockton Regional Office
32 Belmont Street, Brockton (588-7400)

James Street Unit - Abuse Only
Boston and Greater Boston Regions
21 James Street, Boston (266-3256)

Greater Boston Regional Office - Neglect Only
39 Boylston Street, Boston (357-8250)

Boston Regional Office - Neglect Only
43 Hawkins Street, Boston (227-8320)

Lawrence Regional Office
1 Mill Street, Lawrence (686-3971)

New Bedford Regional Office
684 Purchase St., New Bedford (977-3361)

Springfield Regional Office
235 Chestnut St., Springfield (781-7510)

Worcester Regional Office
75A Grove Street, Worcester (791-6281)

CPS will continue to receive referrals from all other concerned citizens, and will concentrate our efforts on providing high quality intensive service to families in which children are most severely abused or neglected. We appreciate your concern for children and trust that if you have any questions, you'll feel free to call your local CPS district executive.

MASS. J6.3: vol.11/no.1

MASSACHUSETTS PROBATION

BULLETIN FROM THE OFFICE OF THE COMMISSIONER OF PROBATION

olume 11 Number 1 March 15, 1976

CASE CLASSIFICATION: TWO VIEWS

ASSESSMENT AND MANAGEMENT

- Anthony J. DiNatale *

Never has the probation system in Massachusetts been challenged and tested as it is today. With the trend away from the institutionalization of offenders, the probation service has become more and more the preferred vehicle through which rehabilitation is being attempted by the courts. The increased reliance on the probation service has resulted not only in the assignment of greater numbers of persons for supervision but also in an increase of those assigned who present a high risk and potential for recidivism.

In response to this trend, the Probation Office of the Cambridge District Court studied and analyzed its existing operation with a view to the future. It concluded that two distinct, though interlocking, problems commanded systemic changes.

The first problem centered on the fact that this probation office was being taxed increasingly both by the size of caseloads and by the complexity of the offenders constituting those caseloads. Office personnel and resources, however, were not being increased proportionately.

The second problem was a direct result of the first. As the load and its complexity grew, so did our concern about the effectiveness of services provided by the system.

DiNATALE cont. on p. 2

PANACEA OR PALLIATIVE

- Alvin W. Cohn, D. Crim. *

According to the American Correctional Association, long a champion of classification, it is a useful tool which ". . contributes to a smoothly, efficiently operated correctional program by pooling of all relevant information concerning the offender, by devising a program for the individual based on that information, and by keeping that program realistically in line with the individual's requirements" (ACA, 1966:451). While it may have been a noble idea, the reality is much more likely to indicate that offenders have been victimized by it rather than helped.

The history of corrections reveals that whatever panaceas have been adopted to change, correct, rehabilitate, or otherwise help the unfortunate offender caught in the system, the effort has tended to be futile. This is true not only because most offenders resist change, but due to the fact that many of these efforts have turned out to be custodial or punitive devices in rather elaborate disguises. In fact, as Kassebaum, Ward and Wilner point out in Prison Treatment and Parole Survival (1971), almost all treatment programs are viewed as disguised attempts at custody by correctional clients.

Positive tradition in criminology holds

COHN cont. on p. 4

Editor: Michael Hutner

Assistant Editor: Ann Cronin

The bulletin is published quarterly for the information of the Probation Service, the Judiciary, and the interested public. Correspondence should be sent to: Editor, Room 206, New Court House, Boston, MA 02108.

Publication Number: 6351

Approved by Alfred C. Holland
State Purchasing Agent

DiNATALE cont from p. 1

The task then of the probation office was to better allocate existing personnel and resources so as to improve the delivery and quality of service to the increasing number of persons under supervision.

However, if the changes in service delivery were to have any long range effect, there had to be a simultaneous reorganization of the system providing those services. Such a systemic change could not come about through the existing policy of adding new programs to an antiquated base. What was required instead, was to restructure that base into an integrated and coordinated administrative framework. This structure had to be solid yet flexible enough to improve the delivery and upgrade the quality of those services.

With this goal in mind, the administrative staff examined all the relatively autonomous processes within the department dealing with persons under supervision. This included the assignment of cases for supervision, allocation of manpower, coverage of court-room duties, supervision and training of staff, and the process of accountability. Also examined were the various, relatively autonomous support services, such as career counselling and job development, alcohol and drug screening, and psychiatric evaluation and treatment, in order to integrate them with the regular probation services.

Following this examination, the administrators, with staff collaboration, carefully and thoughtfully developed a new probation structure which directly focuses on meeting the defined goals. This new structure provides for the organization of probation officers into working teams under the direction of a Team Head and for the selective assignment of persons under supervision to one of those on the basis of a systematic assessment.

The program of Assessment and Classification attempts to systematically examine every offender assigned to the probation office for supervision by assessing the offender's strengths and weaknesses and identifying problems and needs, recommending methods and resources for addressing those problems, and classifying the offenders according to the services required and the supervision team appropriate for providing those services.

The offender who is placed under supervision of the probation office is immediately referred to a probation aide.

During the initial interview, the aide completes the probation contract, which is the statement of supervision conditions both standard and special. The probation officer and the offender are signatories. The aide at this time explains to the offender that within two weeks he will be assigned to a supervisory probation officer, and that during the interim the aide will be available should any questions or problems arise.

The aide's function is to compile a socio-criminal history of the offender assigned to supervision. The history is an objective and current description of the offender, his family background, education, work experience and criminal record, including the circumstances of the present court involvement. Special emphasis is placed on the offender's strengths and weaknesses and immediate problems and needs.

In addition to conducting the investigation the aide administers to the offender a personality profile test known as the Jesness Inventory. If, during the conduct of the investigation, the aide discovers a drug or alcohol problem, the offender is referred to the appropriate screener for evaluation. The screener's evaluation is included with the socio-criminal history.

A person placed under supervision is usually assessed within two weeks of the disposition date. The written socio-criminal history and the results of the Jesness Inventory are made available to each member of the Assessment and Classification Committee on the Monday preceding the regularly scheduled Wednesday meeting of the full Committee.

This allows the members sufficient

DiNATALE cont. on p. 8

PROBATION TRAINING NEEDS STUDY MOVES FORWARD

The Training Needs Assessment which was conducted for this Office by the National Council on Crime and Delinquency has been completed and the final report received by the Office of the Commissioner of Probation.

The progress of this study was described in the June Quarterly Bulletin and Training Memorandum #75-15. In December a series of meetings was held with several groups of probation personnel to review and discuss the draft findings of the study, presented by Dr. Kenneth Hultman, Project Director. These meetings included the OCP, the Education and Training Committee of the Massachusetts Probation Association, the Juvenile Probation Training Committee and the Probate Probation Education Committee. An invitation was extended to probation officers in all courts to attend the six regional meetings.

A copy of the final Probation Training Needs report was forwarded to each probation office in January for information, along with the following letter:

To: Chief Probation Officers and Probation Officer-in-Charge
From: Office of the Commissioner of Probation
Subject: Training Memorandum #76-3: Probation Training Needs Study

Enclosed is a copy of the Massachusetts Probation Training Needs Study completed by the National Council on Crime and Delinquency. This study was conducted for this office with consultation from the Training and Education Committee of the Massachusetts Probation Association.

Three hundred and sixty probation officers completed a training needs questionnaire. Another 147 probation personnel were interviewed during on-site visits. A preliminary draft of the study was discussed with representative probation committees and with probation service personnel at six regional meetings across the state.

The design and content of future OCP training programs will be primarily based on the needs indicated by probation officers in the training needs study.

Any comments and suggestions that you and your staff may have on the Training Needs Study will be appreciated.

C. Eliot Sands
Commissioner

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SUPERIOR COURT PLANS SUBPOENA INSERT

Blanca D. Batteau, Administrator for Foreign Languages for the Superior Court of Massachusetts, Boston, has announced a plan to use, as an insert in all subpoenas, a Spanish "Notice," printed in red capitals as follows:

AVISO IMPORTANTE: SI USTED NO PUEDE LEER ESTE DOCUMENTO OFICIAL OBTENGA LA TRAFFUCCION, CUANTO ANTES.

The English translation is:

IMPORTANT NOTICE: IF YOU ARE UNABLE TO READ THIS OFFICIAL DOCUMENT, OBTAIN TRANSLATION AS SOON AS POSSIBLE.

COHN cont. from p. 1

that a person is not in complete control of his or her own life; that, in fact, the various pushes, pulls, and tugs have deterministic influence. As a consequence, criminologi sts have looked at the offender rather than the offense, the life style of the offender rather than the legal issues, in order to uncover the reasons for the deviant behavior. Constitutional, hereditary, psychological and sociological constraints, economic and political conditions, along with a host of other reasons, all add up, according to the Positivists, to being the "culprit" causing crime and delinquency. The consequence of this orientation has been the commitment by researchers to constantly look to etiological studies in order to better understand and deal with the offender.

This concern for causation appears to follow the medical model, which dictates that there is a cause for every disease and that if the cause is isolated, it will be possible to effectuate a cure. The unfortunate consequence in corrections is that this commitment to cause and cure has resulted in the labeling of all offenders as "sick." This, in my opinion, is preposterous. We have long since refuted the Lombrosian myth that there is such a thing as a "born criminal." Criminality is indeed nothing more than a label affixed by those in political power on selected persons within society who violate the laws as they may be codified. Therefore, what constitutes a crime at one time and place may not be a crime at another time and place. Many who are adjudicated happen to be at the wrong place at the wrong time. Prohibition, abortion, sexual behavior between consenting adults, and the use of marijuana are perfect illustrative cases.

This is not to say that there aren't indeed some individuals who are truly "sick" and whose behaviors are abominations. But, to insist that everyone is sick simply because he or she has engaged in violative behavior is to state that all of us are sick, because almost all of us have been involved in similar behaviors. The recent studies on hidden crime and self reports regarding delinquent acts attest to this. Many are sick and need treatment, but this approach to corrections, in my opinion, has held the field back from making substantial gains in controlling or otherwise reducing crime and criminal behavior in our society.

Classification schemes, like most typologizing devices, have been venerated by correctional authorities over the years. Unfortunately they have tended to label rather than help, abuse rather than assist, and are inducements to self-fulfilling prophecies (for further criminal behavior) rather than aids in bringing about change in correctional clients. They have been more useful for administrative purposes than tools for treatment. Tannenbaum (1938), Becker (1963), and Rubington and Weinberg (1973) all document the disasterous implications of labeling and suggest, from an interactionist perspective, that the process is likely to result in more problems than it solves.

In corrections, classification has been utilized by institutional workers to diagnose and place offenders in appropriate work and treatment settings and practices. In a new book on the subject, the American Correctional Association (1975:1) states:

> The emerging idea of classification viewed the criminal as a human being with potential and behavior which could be understood and possibly corrected. Thus, the main aim of classification in modern times has focused on...developing approaches and methods which can effectively assist the criminal to correct his behavior and develop his potentials as a human being

It is my belief that classification has tended to dehumanize the very people who are supposed to be corrected and, as a consequence, has diminished the humanity of those who use it, sometimes innocently and sometimes with malice.

I am not unalterably opposed to classification, for I believe it can be a useful device on occasion. When it helps to separate those offenders who need little or no intervention from those who might

COHN cont. on p. 10

CHSB ADDS TO CERTIFIED AGENCY LIST

The following agencies have been certified by the Criminal History Systems Board to receive criminal offender record information. They should be added to previous lists published in the Quarterly.

113. Board of Selectmen of the Town of Swampscott under M.G.L. c. 180, sec. 5.**
114. Board of Selectmen of the Town of Dennis under M.G.L. c. 138, sec. 12* and M.G.L. c. 180, sec. 5.**
115. Board of Selectmen of the Town of South Hadley under M.G.L. c. 138, sec. 12.*
116. Board of Selectmen of the Town of Wellesley under M.G.L. c. 138, sec. 12.*
117. Board of Selectmen of the Town of Raynham under M.G.L. c. 138, sec. 12.*
118. Board of Selectmen of the Town of Seekonk under M.G.L. c. 138, sec. 12.*
119. Board of Selectmen of the Town of Walpole under M.G.L. c. 138, sec. 12* and M.G.L. c. 180, sec. 5.**
120. The City Council of the City of Brockton under M.G.L. c. 180, sec. 5.**
121. Board of Selectmen of the Town of East Longmeadow under M.G.L. c. 138, sec. 12* and M.G.L. c. 180, sec. 5.**
122. Board of Selectmen of the Town of Hampden under M.G.L. c. 138, sec. 12* and M.G.L. c. 180, sec. 5.**
123. Federal Aviation Administration Air Transportation Security Division for purposes of investigating offenses under section 902(a) of the FAA Act and 18 USC 1001.
124. Alcohol Beverage Control Division-Mississippi State Tax Commission for the purpose of determining whether applicants for liquor permit have been convicted of a felony.
125. Military Police at Ft. Devens for purposes of reporting off-post offenses involving Army personnel or any property.
126. Mass. Bd. of Registration in Medicine for purposes of determining whether a registered physician has been convicted of a felony in proceedings to revoke his medical practitioner's certificate.
127. Mass. Division of Registration-limited access under several statutes.
128. Board of Selectmen of the Town of Stoughton under M.G.L. c.138, sec. 12. *
129. Board of License Commissioners of the City of Fitchburg under M.G.L. ch. 138, sec. 12.*
130. The Chelsea Board of Excise under M.G.L. ch. 138, sec. 12.*
131. Board of Selectmen of the Town of Northbridge under M.G.L. ch. 138, sec. 12.*
132. Board of Selectmen of the Town of Middleton under MGL ch. 138, sec 12.*
133. Board of Selectmen of the Town of Abington under M.G.L. ch. 138, sec. 12.*
134. Alcoholic Beverage Control Division-Mississippi State Tax Commission for the purpose of determining whether an applicant for an alcoholic beverage license has been convicted of a felony.
135. Texas State Board of Medical Examiners.

CERTIFIED AGENCIES cont. on p. 6

CERTIFIED AGENCIES cont. from p. 5

136. Board of Selectmen of the Town of Watertown under M.G.L. ch. 138, sec. 12.*; M.G.L. ch. 180 sec. 5.**; and whether the holder of an auctioneer's license has been convicted of fraud or deceit in relation to an auction as necessary for revoking an auctioneer's license pursuant to M.G.L. ch. 100, secs. 17 and 21.
137. The License Commission of the City of Lawrence under M.G.L. ch. 138, sec. 12.*
138. The Town of Concord under M.G.L. ch. 138, sec. 12.*
139. The City of Salem-Office of License Investigator under M.G.L. ch. 138, sec. 12.*
140. Division of Motor Vehicles of the Commonwealth of Virginia for purposes of limiting access as necessary for granting and revoking drivers' licenses.
141. The Office of Inspector General, Regional Inspector General for Investigation as necessary to establish prima facie criminal cases and to refer such cases to the Department of Justice for criminal prosecution.
142. Office of Investigation U.S. Department of Agriculture as a criminal justice agency for purposes of investigating crimes relating to the Department of Agriculture.
143. U. S. Park Police as a criminal justice agency for purposes of carrying out their law enforcement duties.
144. Board of Selectmen of the Town of Dracut under M.G.L. ch. 138, sec. 12.* and under M.G.L. ch. 31, sec. 17 for purposes of examining the convictions of a civil service applicant which took place within one year of the proposed civil service appointment.
145. Board of Selectmen of the Town of Millis under M.G.L. c. 138, sec. 12.*
146. Board of Selectmen of the Town of Westford under M.G.L. c. 138, sec. 12.*

* M. G. L. c. 138, sec. 12: Certified for purposes of determining whether an individual seeking to sell alcoholic beverages to be drunk on his premises has been convicted of a violation of federal or state narcotic drugs laws and no others.

** M.G.L. c. 180, sec. 5: Certified for purposes of determining whether persons applying for a certificate of incorporation or a corporate name change have been convicted of illegally selling alcoholic beverages or keeping places used for illegal gaming.

****

OCP BEGINS EMERGENCY STAFFING

The Commissioner's Office has been able to fill some of the positions authorized recently by the Commissioner of Administration and Finance. The emergency authorization to fill 32 civil service positions was made to alleviate the enormous backlog of records in the OCP central file. The position and the date that they were filled are as follows:

Week Ending March 12: 8 positions
Week Ending March 19: 4 positions

The OCP expressed appreciation for the cooperation of Administration and Finance and the Civil Service Commission.

CHANGE OF PERSONNEL

DESIGNATION AS CHIEF PROBATION OFFICER

John J. McCann, Acting, Second District Court of Bristol, Fall River, effective December 1, 1975.

DESIGNATION AS ASSISTANT CHIEF PROBATION OFFICER

Jeanne Asselin, Bristol County Juvenile Court, effective February 10, 1976.

Matthew C. Regan, Municipal Court of the City of Boston, effective November 21, 1975.

PERMANENT APPOINTMENTS

Denyse Clayborne, 17 Kensington Street, Roxbury, Suffolk Superior Court, effective October 15, 1975, a graduate of the University of Massachusetts.

David M. Crane, 843 Metropolitan Avenue, Hyde Park, Municipal Court of the Brighton District, effective December 31, 1975, a graduate of Boston College.

Daniel J. Day, District Court of Southern Essex, Lynn, effective February 13, 1976.

William F. DiGregorio, 152 Broad Street, Weymouth, Third District Court of Eastern Middlesex, Cambridge, effective January 1, 1976, a graduate of Long Island University.

Patricia R. Flynn, Second District Court of Eastern Middlesex, Waltham, effective December 1, 1975.

Thomas J. O'Shea, District Court of Eastern Essex, Gloucester, effective December 31, 1975.

Robert A. Tobin, Second District Court of Plymouth, Hingham, effective January 2, 1976.

Joseph C. Tomasello, Municipal Court of the City of Boston, effective December 11, 1975.

William F. Woldman, Municipal Court of the City of Boston, effective December 18, 1975.

TEMPORARY APPOINTMENTS

Louis A. Airoldi, 43 Fairfield Street, Pittsfield, District Court of Central Berkshire, Pittsfield, effective March 1, 1976, a graduate of the University of Massachusetts.

George E. Delaney, Plymouth Street, Lakeville, Superior Court for Middlesex County, effective October 15, 1975, a graduate of the University of Massachusetts.

Bernard E. Dow, 65 Gage Street, Worcester, Central District Court of Worcester, Worcester, effective January 16, 1976, a graduate of Worcester State College.

Paul McDonald 38 Abbott Street, Greenfield, District Court of Franklin, Greenfield, effective January 1, 1976, a graduate of Springfield College.

Paul V. O'Connor, 1071 Beacon Street, Brookline, Superior Court for Middlesex County, effective February 2, 1976, a graduate of Northeastern University.

Diana F. O'Dell, Allston, District Court of East Norfolk, Quincy, effective December 22, 1975, a former probation officer for Alcohol Safety Action Project.

PERSONNEL cont. on p. 13

DiNATALE cont. from p. 2

time to note what they consider to be the offenders assets and liabilities, and to propose a service and management plan.

The Assessment and Classification Committee is comprised of the Chief Probation Officer, a probation officer from each of three supervision teams, the Chief Social Worker of the Court Clinic, the case worker of the Mental Retardation Unit of the Area Mental Health Board, the court-affiliated Job Developer, the Drug Screener or Alcohol Addiction Screener and the aides.

The Committee membership embodies expertise from many disciplines but is deliberately weighted with probation practitioners. This guards against the frequent criticism by probation officers that clinical diagnoses and treatment plans are sometimes unrealistic and impractical to implement. Such criticism is diluted when probation officers deliberate and participate in the Committee findings and recommendations.

The Committee members, meeting as a group, discuss the offender in light of the previous individual assessments. The aide who prepared the report and interpreted the Jesness scores may elaborate on personal observations and reactions not included in the written report and answer questions raised by Committee members. Through this group interaction, the offender's strengths and weaknesses are brought into sharper focus. A consensus determines the recommended service plan and the team selected to implement it. The recommendation is deliberately broad in scope so as not to preclude a supervising probation officer from exercising judgement and latitude in its implementation.

The aide will record, by a provided form, the team designated by the Committee to conduct the supervision and implement the recommended service plan. This form, the case history, and other related information are then conveyed to the Team Head.

The assignment of an offender to an individual probation officer for supervision had often been random in nature. The offender's problems and needs, the probation officer's capabilities and expertise and the system's capacities and resources were frequently isolated, often in conflict and rarely considered as related parts of a total probation process.

Classification remedied this considerably through the establishment of three categories of supervision which indicate the level of the probation officer's supervisory involvement. Three teams of probation officers designated as Maximum, Moderate, and Minimal were each established under the direction of a Team Head (all Assistant Chief Probation Officers).

Team membership was decided by the Chief Probation officer and the Team Heads on the combined basis of training, experience, personal choice, and the best interests of the office.

The Maximum Supervision Team is responsible for those offenders for whom the probation officer is a primary resource. Some offenders have problems and needs that can be met by a close, intensive relationship which may provide firm controls, strong limit setting, or supportive counselling. In other instances, a cooperative effort with a community resource is required to provide a needed service.

The Moderate Supervision Team has a less intense relationship with the offender than does the Maximum Team. It receives for supervision those offenders for whom community-based programs are used as the primary resource. The probation officer arranges the referrals, monitors the attendance and progress of the offender in the program, and provides whatever support or direction required.

A large percentage of this team's caseload consists of offenders convicted of drunken

DiNATALE cont on p. 12

FROM THE COMMISSIONER'S OFFICE

PROBATION CENTRAL FILE DEVELOPMENTS

The Committee on Probation and the Office of the Commissioner of Probation have reached an agreement with the Massachusetts Criminal History Systems Board whereby the automation of the Probation Central File should begin sometime in the fall of 1976. Complete automation will take several years and the manual file must remain in existence for an indefinite period of time.

The spring and summer of this year will be devoted to planning to get the automation project underway.

The current moratorium on outside inquiries is still in effect. Some progress has been made in hiring staff to fill vacant positions in the Probation Central File. Until these new people are hired and trained it is unlikely that the moratorium can be lifted.

CP-1 FORMS

Because of budgetary cut-backs we have been experiencing considerable difficulty in obtaining new CP-1 forms. A partial delivery is expected within 30 days. We would be most appreciative, if during the interim, the local offices photostat the CP-1 form and mail in the information on the photostat until the new CP-1 forms are available. Your cooperation and patience will be appreciated. Once delivery is received, the backlog of requests will be filled.

PROSECUTION WITNESS RECORD INFORMATION

The question has been raised from time-to-time as to the procedure for obtaining records of prosecution witnesses from PCF.

The present moratorium on record inquiry at PCF does not affect the procedures available.

Upon the allowance by the court of defense counsel motion for court record information of prosecution witness, counsel may obtain the information at PCF by presenting a certified copy of the motion allowed and the necessary identifying information on each individual whose record is sought.

In the event the court directs the probation office to obtain the information, the probation office can obtain the information through its normal procedure.

COHN cont. from p. 4

need massive doses, it could be a helpful tool. If it is ever possible to devise a model whereby the truly sick can be differentiated from the relatively healthy, it will be a magnificent device. If it can be constructed so that reasonable assistance can be developed as a result of appropriate diagnostic interventions and carried out in proper fashion, it can be a supportable activity. But, when it is developed allegedly to "help" the individual but instead is used more for administrative efficacy, it is a "crime" to advocate its use and/or to actually use it.

The findings of the California Community Treatment Project and the earlier San Francisco Project are ambivalent at best, in my opinion, regarding the utility of classification schemes. The findings of Lipton, Martinson, and Wilks, published in The Effectiveness of Correctional Treatment (1975), suggest that correctional treatment has been an abject failure, especially if it is viewed as the principal device for bringing about change in offenders. Some might argue that this is so because we have not as yet discovered the causes of crime and delinquency or developed meaningful treatment strategies. They ask for more funds, more research, and more experimentation. Others maintain that that would be a continuing waste of manpower, resources, and funds. The radicals ask for a Marxist change in political arrangements; the liberals ask for better defense and legal services; the conservatives demand no more than better protection; and the humanists ask for greater love and kindness.

There is no doubt that a change is needed in corrections if it is ever going to be effective in preventing and controlling crime. It is possible that meaningful and appropriate (whatever they mean) classification devices can be functional toward that end, but they cannot help as they are presently devised and utilized, unless by classification we simply mean the separation of "cases" in terms of who needs help and who does not. But, it is my belief that the correctional client should participate in his or her own classification, rather than merely being the recipient of a label and a passive participant in the process. This, incidentally, follows from "reintegration" theory, which holds that all who are affected should be involved in the program in dynamic ways.

There is no way to stop or alter the use of classification in corrections. There is no need to refuse experimentation and research into the subject. There is no reason to believe that classification can be anything but a useful and helpful device. However, I strongly believe that ethical standards in its use should be developed to prevent its abuse. Workers, administrators researchers, theorists, and clients should all work together to improve the benefits that are likely to accrue from further investigation. But, it should not be used against anyone and just as a client should have the right to refuse treatment on a voluntary basis, he should also have the right not to be a "guinea pig" insofar as diagnostic and/or classification activities are concerned.

Packer (1968:53-54) writes about punishment, but his comments are apt with regard to classification when he states:

However benevolent the purpose of reform, however better off we expect its object to be, there is no blinking the fact that what we do to the offender in the name of reform is being done to him for our sake, not for his.

The words Rothman (1971:295) uses to describe the historical development of institutions (asylums) as places to incarcerate deviants and dependents also is a commentary on what may have gone wrong with correctional classification:

COHN cont on p. 13

SAWICKI CASE SPELLS OUT PROBATION TERMINATION*

On December 29, 1975, the Massachusetts Supreme Judicial Court handed down a decision in the case of the Commonwealth v. Philip A. Sawicki which is of interest to the probation service. A summary follows:

I. The Fact Pattern.

In November, 1974, Philip A. Sawicki sought termination of his probation. His term had expired on September 5, 1974. On November 15, a report was made by his supervising probation officer to the Superior Court. It indicated that Sawicki had committed three violations of his probation conditions during his term. They were: 1) conviction in another court of assault and battery; 2) subsequently indicating to his probation officer that he had not been involved in any difficulty since his last report; and, 3) failing to report to his probation office after July, 1974.

Revocation hearings before the court commenced on January 17, 1975, and on March 13, the court, finding the above violations, entered an order extending the period of probation two years. Seeking a resolution of any doubt as to the court's jurisdiction, the court reported the following question to the Appeals Court:

"Did this court have jurisdiction, on March 13, 1975, . . . to extend the term of or to revoke the defendant's probation on the basis of violations of conditions of his probation which occurred during the term of probation in view of the fact that the defendant's term of probation had expired on September 4, 1974 and in view of the fact that he had not been brought before the court by his probation officer until over four months after that date?"

II. The Holding.

The Supreme Judicial Court, having taken jurisdiction held that a court is not disabled by the expiration of the probation term from revoking or extending probation on the basis of in-term violations even when no steps leading to revocation of probation have previously been taken. Final action, in the form of an order noting the end of the court's supervision of the probationer, is required to terminate probation, and this may occur after the close of the probation period originally set. The power to act is, of course, confined to violations committed during the period. The only restriction is that such final action must be taken within a reasonable time after the end of the period. If the status of the probation cannot be fixed by the end of the probationary period, then there must be a concentrated effort to settle it with reasonable promptness thereafter. What qualifies as reasonable time is left to case-by-case appraisal.

III. The Notice Issue.

Apparently, the probation officer of the court which convicted Sawicki of the assault and battery on a police officer[1] did not notify the court supervising Sawicki's probation of his subsequent court appearance. The Supreme Judicial Court noted that there is a statutory duty to make such notification where there is knowledge of the prior probationary status of the defendant.[2]

IV. Illustration.

Court A places Doe on probation for a period of one year with the usual conditions. Ten months later, Doe appears before Court B charged with an offense punishable by imprisonment for more than a year. Court B's probation officer must notify Court A of Doe's presence in Court B should Court B become aware of Court A's interest in Doe. OCP has taken the position that notification may be made by

SAWICKI cont. on p. 14

*by S. Steve Chu, OCP Research Dept.

DiNATALE cont. from p. 8

driving who are sufficiently motivated and who elect to participate in a community program of alcohol education and rehabilitation. Also included is the offender who has neglected to support dependents from whom he is irrevocably alienated.

The Minimal Supervision Team is assigned cases wherein neither community services nor probation officer involvement is required except for one initial meeting. The offender is expected to submit by mail a monthly report form.

This team's caseload consists primarily of situational first offenders as well as others who are transferred to another court or authority for supervision. Additionally assigned to this team, but only for administrative purposes, are those offenders on which the court imposes probation with a suspended sentence as a deterrent and expressly states that no supervision is required.

In addition to providing minimal supervision this team is responsible for assisting the court at all its criminal sessions on questions of bail, indigency, mental competence, drug addiction and, to whatever degree possible, sentencing. All these proceedings are chronologically recorded in narrative form and included in each offender's folder.

The offender, having been referred to one of three teams, is then assigned by the Team Head to a probation officer for supervision. In making these assignments, consideration is given to matching as much as possible an offender's problems and needs with a probation officer's skills and abilities. The assigned probation officer may, for good and sufficient reason, decline to accept the case for supervision. After a discussion with the Team Head, a resolution is made as to whether the offender is retained or reassigned.

After receiving the case for supervision, the probation officer has the immediate benefit of the offender's folder material which includes, in various and sundry combinations, the criminal and social history the Jesness Inventory results, drug/alcohol evaluation and psychiatric/psychological reports. More important, the most pressing problems and needs of the offender and recommendations for addressing them have been outlined by the Assessment and Classification Committee. The supervising probation officer, even before having any contact whatsoever with the offender, is thus able to formulate a tentative service plan on the basis of the information at hand.

After the first month of supervision and evaluation, the probation officer is required to submit to his Team Head the initial Supervision Report. That report contains a service plan and any resource referrals to be utilized in the implementation of that plan.

Unless the probation officer's examination and exploration dictate a different course of action, the recommendations made by the Committee are expected to be followed. If, in his best judgement, he does not concur with the Committee's indentification of the offender's problems and needs, valid reasons for such disagreement should be stated in the Supervision Report. Similarly, if a proposed service plan is not adopted, the probation officer must furnish sufficient reason and a substitute plan. The probation officer's discretion and judgement in case management does not allow for taking capricious and arbitrary exception to the Committee's collective decision.

Subsequent Supervision Reports, submitted quarterly, score the degree of the offender's adjustment and include a progress summary of the probation plan. Changes in supervision goals, if any, are detailed with substantive reasons for such changes. In the final Supervision Report, the probation officer is required to review the case in terms of the Committee's recommendations and actual courses of action taken.

A Resource Evaluation Report, also required quarterly, describes the service

DiNATALE cont on p. 13

DiNATALE cont from p. 12

or treatment rendered by an agency and measures how well organized and responsible the agency is in providing services and/or treatment, and how well the offender seems to be responding.

A service plan with realistic goals and attainable objectives, both immediate and long range, is central to a systematized and structured approach to probation supervision. But system and structure, without accountability, do not fully achieve organizational totality. A regular review of the probation officer's efforts is the key to accountability. For too long, the probation service has held the offender alone accountable for failure to realize a significant measure of adjustment. Accountability for such failure must rest also with the probation officer who does not fully utilize his own skills and those of others to help offenders cope with their problems.

The Assessment and Classification system offers a wider spectrum of expertise, a more objective diagnosis and service plan, and higher standards of supervisory performance. It aims at the elimination of faulty supervision that contributes to the incidents of recidivism.

What we are doing now is a vast improvement over the previously random assignment of cases to under-equipped and unaccountable probation officers. From the first personal interview to the completed last step of a service plan, this system brings structure and accountability to the Probation Department, provides more productive tools to the supervising probation officers, and promises the participating offender a better chance to help himself.

* Anthony J. DiNatale is the Chief Probation Officer of the Third District Court of Eastern Middlesex, Cambridge.

COHN cont from p. 10

. . . . . The reformer's original doctrines were especially liable to abuse, their emphasis on authority, obedience, and regularity turning all too predictably into a mechanical application of discipline. And by incarcerating the deviant and dependent, and defending the step with hyperbolic rhetoric, they discouraged - really eliminated - the search for other solutions that might have been less susceptible to abuse.

. . . One cannot help but conclude this history with an acute nervousness all about social panaceas. . . . . .

Panaceas occasionally become palliatives!

* Alvin W. Cohn is affiliated with the Administration of Justice Services of Rockville, Maryland. Bibliography available upon request.

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PERSONNEL cont. from p. 7

LEAVE OF ABSENCE

James L. Otway, Central District Court of Northern Essex, Haverhill, effective March 9, 1976.

Frank A. Toscano, Worcester Juvenile Court, Worcester, effective March 1, 1976.

RESIGNED

James W. Igoe, Central District Court of Worcester, Worcester, effective January 15, 1976.

Donald R. Rodrigue, District Court of Holyoke, effective September 30, 1975.

PERSONNEL cont. on p. 14

telephone, although a letter would, of course, not be inappropriate, and a notation should be made by Court B that such notification has been made. Should Court A be unable to take appropriate action prior to expiration of the probationary period, then a concentrated effort must be made to do so with reasonable promptness thereafter.

[1] The offense is a serious misdemeanor requiring, upon conviction, imprisonment of not less than 90 days and not more than 2 1/2 years in the House of Correction. M.G.L. 265, s. 13D.

[2] M.G.L. 276, s. 85 (in part): "When it comes to the knowledge of a probation officer that the defendant in a criminal case before his court charged with an offense punishable by imprisonment for more than one year is then on probation in another court or is then at liberty on parole or on a permit to be at liberty, such probation officer shall forthwith certify the fact of the presence of the defendant before his court to the probation officer of such other court or the parole authorities granting or issuing such parole or permit as the case may be."

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PERSONNEL cont. from p. 13.

DECEASED

Jean E. Harney, Superior Court for Suffolk County, on February 16, 1976. Ms. Harney entered the service in 1958.

Luman K. Sanford, Central District Court of Berkshire, Pittsfield, on January 13, 1976. Mr. Sanford entered the service in 1958.

FEMALE DEFENDANTS IN SUFFOLK COUNTY (excerpt)

The research unit of the Commissioner's Office has prepared a statistical profile of 852 women who had arraignments on criminal charges (excluding minor traffic offenses) in Suffolk County and whose court appearance records were received by the OCP during the three month period from January 20, 1975 to April 18, 1975.

Female defendants in the sample appeared most frequently on two types of charges: property offenses and "commercial" sex offenses (prostitution and related charges). Thirty-seven percent of the sample appeared on one or more property offenses, such as larceny (both over and under $100), receiving stolen property, and breaking and entering. Twenty-six percent appeared on one or more commercial sex offenses such as prostitution, 10% appeared on offenses against the person (assault and battery, robbery, etc.), 6% on offenses against the public order (disorderly conduct, carrying a dangerous weapon, etc.,), and 5% on drug-related offenses. Thirteen percent of defendants had charges which involved more than one category of offense. Some defendants had more than one charge within the same category of offense: e.g. larceny over $100 and receiving stolen property.

Table I
Arraignment by Offense

Category	Number	Percent
Against Person	86	10
Against Property	317	37
Commercial Sex	219	26
Motor Vehicle	35	4
Public Order	47	6
Controlled Subs.	41	5
Multiple Charges	107	13
	852	101

Anyone wishing a copy of the full report may contact the Editor, Massachusetts Probation, 206 New Court House, Boston, MA 02108.

MASS. J6.3: Vol. 11/no 2

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BULLETIN FROM THE OFFICE OF THE COMMISSIONER OF PROBATION

Volume 11 Number 2 June 1976

DORCHESTER "URBAN COURT" UTILIZES COMMUNITY REPRESENTATIVES

Community participation in governmental processes is a concept which is growing in acceptance by public officials. One of the advantages of such involvement is the better understanding of the complex issues of public administration which is gained by the ordinary citizen. On the judicial level, community residents have been participating since November 1975 in a program operated by the Justice Resource Institute, Inc., in the Municipal Court of the Dorchester District, under the auspices of First Justice Paul H. King. It is called the Urban Court.

The Program consists of three distinct components:

1. A panel which recommends dispositions, in certain cases, after a finding of guilty and which also provides probation services.

2. A program which helps to mediate relatively minor disputes.

3. A program which provides assistance to victims of crimes whether or not the offender has been apprehended.

The disposition panel which is the component most closely related to the probation function, is in part a response to a feeling among many Dorchester residents that offenders were simply being released into the community with no real punishment. Involving community residents as panelists has given residents a better understanding of the judicial system, according to First Justice King. It has created an awareness of the limitations of the de novo process and an understanding that judges must sentence defendants on an individual basis. Many panelists who initially advocated greater severity have recommended relatively lenient dispositions when faced with cases of individual defendants.

The role of community representatives on the panel is unique. Essentially, they are volunteers. Compensation is limited to $7.50 per disposition session which usually lasts two to four hours. A pool of thirty-two panel members representing a cross section of the Dorchester community was selected from applicants after detailed interviews and careful reference checks.

URBAN COURT cont. on p. 2

Editor: Michael Hutner Assistant Editor: Ann Cronin

The bulletin is published quarterly for the information of the Probation Service, the Judiciary, and the interested public. Correspondence should be sent to: Editor, Room 206, New Court House, Boston, MA 02108.

Publication Number: 6351 Approved by Alfred C. Holland
State Purchasing Agent

URBAN COURT cont. from p. 1

The help and involvement of community panel members is central to the panel's work and is one of its most gratifying features, according to Urban Court Executive Director Peggy Skarrow. "There's been a lot said about public apathy, but people are out there and willing to help," she said.

Essential to the successful implementation of the program is the panelist's role in interpreting dispositions to the community and in some cases to the family. "Very often, I know the defendant," said Robert Moore, a community panelist who also does other volunteer work with drug users and has been a rehabilitation counselor at MCI Concord. Because Moore is known in the community for his rehabilitation work, he feels that defendants and their families better accept terms of probation.

Cases are referred to the panel after First Justice Paul H. King and Justices Herbert E. Tucker, Jr., Margaret C. Scott or James W. Dolan finds a defendant guilty or establishes sufficient facts. A continuance of four weeks is allowed for the panel to reach a recommendation.

After an initial interview conducted by an associate probation officer (APO), the defendant appears before the panel consisting of five people: a convenor (specially trained staff person), the associate probation officer who conducted the initial interview, two community advocates, a staff person holding the position of victim's advocate, and in certain cases, the staff psychologist.

Most of the individuals referred to the program are second and third offenders who are charged most frequently with breaking and entering or assault and battery. In virtually all case the panel recommends some form of suspended sentence, along with a fine or restitution.

The defendant also is given a chance to state what he would regard as an appropriate disposition. A defendant's suggestion on severity is not always followed, of course, but there is an attempt to have the defendant state the perception of his own needs, such as job referral or alcohol treatment prior to disposition.

The main intent of the program is to recommend a plan that will prevent recurrence. According to Pamela DeSanctis, associate probation officer, this is the most creative part of the panel' work. "We really have to rack our brains to insure that the defendant doesn't go back," she said.

An unusual feature of the panel deliberations is its consideration of the victim viewpoint. Unless the victim is extremely hostile to the defendant, he is invited to attend panel interviews. Otherwise, he may submit his ideas about just compensation and appropriate penalty in writing or be represented by the victim's advocate

Restitution to victims ranging from $5.00 to several hundred dollars has been recommended by the panel and approved by judges in about 30% of the cases. In approximately half of these cases, defendants lack funds to compensate victims and instead are required to perform community service tasks. Before the

URBAN COURT cont. p. 6

RETARDED OFFENDERS NEED SPECIAL HELP

Although mentally retarded offenders are not numerous, they frequently present complex difficulties for the probation officer. There is a growing recognition that the retarded offender may require specific kinds of supervisior or referral to specialized services.

There are no firm statistics on the number of retarded offenders. It has been estimated that 3% of the U.S. population are retarded, but that 10% of the prison population are retarded. A 1974 Task Force on the Mentally Retarded Citizen and the Criminal Justice Process under the chairmanship of Paul Chernoff, Chairman of the Parole Board, conducted a survey of Massachusetts probation officers. Those responding identified about 4% of their caseload, on the average, as "slow or mentally retarded."

There are different degrees of retardation, but the most difficult to identify is the mild or borderline case. While there are usually no outward physical signs, there are frequently clues evident in an interview which may suggest the possibility: hesitancy in answering; the need to check a home phone number or birthdate on a card carried in a wallet; being left behind two or more grades in school; special services-placement in a special class or vocational program or an evaluation by Fernald School or Massachusetts Rehabilitation Commission may also be indicators.

Probation officers and other court personnel are sometimes hesitant to identify someone as mentally retarded out of concern that the identification will become an added stigma. But as Janet Yassen, Court Liaison of the Walnut Street Center, Inc., the retardation unit of the Cambridge-Somerville Mental Health Center has indicated, "We must identify people so that they can get the best possible services." She suggests that probation officers suspecting possible retardation can ask such questions as, "How do you get from home to the court house to see me?" which will require creating a mental map. Another question, she said, would be to ask the defendant if he knows the charges against him and understands what they mean.

Individuals who have any of the above characteristics are not necessarily retarded. If a probation officer suspects mental retardation, it is essential that this be verified by a full evaluation. Identifying who is retarded and the extent of retardation requires a range of tests and assessment techniques. It is important to note that IQ tests, which many professionals consider to be culturally-based, should not be the only determinant. Adaptive behavior is of critical importance in any assessment process and can be measured by tests such as the Vineland Social Maturity Scale, AAMD Adaptive Behavior Scale and the Leiter test.

Depending on the degree of retardation, age of the client and community services, there are several kinds of resources available to the probation officer. But in some cases, probation officers may encounter obstacles. Programs designed for offenders may not accept a person who is retarded, while those designed for the retarded may not accept offenders. However, the range of possible services can include vocational training, counseling services, social programs.

RETARDED cont. p. 4

RETARDED cont. p. 3

group residential programs, homemaker services and volunteer and advocacy programs. There are several places a probation officer can call to find out what programs are available-regional offices of the Division of Mental Retardation, local chapters of the Massachusetts Association of Retarded Citizens (known as ARCs) or local citizen advocacy programs.

Citizen advocacy programs match volunteers with retarded individuals and monitor that matching over several months. Besides providing the benefits of a one to one relationship, volunteers may act as advocates in the legal process, explaining the court process to the retarded offenders. In some cases, they may be available to advise the probation officer or court about alternatives to incarceration.

The concept of citizen volunteer participation has been incorporated into a program for the retarded parolee. Known as the Massachusetts Community Assistance Parole Program (MassCAPP) the program utilizes volunteers who are indigenous to the client's community of residence and give a commitment to meet with retarded parolees at least twice a week for a year. The volunteers are given a stipend of $15 a week which covers the cost of incidental expenses incurred. And should the parolee reappear in court, the volunteer is usually there with him.

The program, under the direction of Edward Duffey, is the only one of its kind in the United States. It was funded initially in 1974 by a $75,000 grant from the U.S. Department of Health, Education, and Welfare and now receives funds from a number of federal and state sources. The program serves 40 parolees, but Peter Shapland of the program staff states that if funds were available, as many as 80 people could be served.

The recidivism rate for retarded parolees, which is substantially higher than that of normal parolees, has been significantly reduced for program participants on the basis of one year follow-up data, according to Donald Myers, previous director of the program and now a Parole Board member. This year MassCAPP expects to open a small residence facility which will house about eight clients who will receive extensive assistance in both work and leisure activities.

The Walnut Street Center, Inc. is another program which provides services to the Cambridge District, Somerville District and Middlesex Superior Courts and is the only unit of a mental health center in Massachusetts which has a staff person designated as a liaison with courts on problems of mental retardation. Ms. Yassen, court liaison, assists in the identification of retarded clients and helps plan programs and services for retarded individuals. She also acts as an advocate in courts, helps orient court personnel to problems of retarded offenders and does short term individual and family casework.

The Specialized Training and Advocacy Program (STAP) is sponsored by the Massachusetts Bar Association and operates under a pilot project

RETARDED cont. p. 5

RETARDED cont. from p. 4

grant from an American Bar Association program known as BASICS (Bar Association Support to Improve Correctional Services). The project is under the direction of Alex L. Moschella, probation officer on leave from the Middlesex Superior Court. It is designed to develop pre- and post-trial diversion services for mentally retarded defendants and probationers and to provide training to sensitize criminal justice personnel and members of the bar to mental retardation issues.

During STAP's present operational phase a process has been developed in Roxbury District Court where a Clinical Review Committee meets weekly to develop treatment and service plans for mentally retarded clients. The Committee is comprised of representatives from probation, the court clinic, Massachusetts Rehabilitation Commission, Massachusetts Department of Employment Security, the Court Resource Project and professionals from community agencies, together with a STAP staff person and psychologist. As part of the process, an assessment is administered by D. Franklin Garnes, STAP psychologist. Betsy Clark, MSW who is STAP advocate may then submit dispositional reports to the court which includes both the psychologist's assessment and a treatment plan developed by the Clinical Review Committee.

STAP has conducted four training sessions in the Brookline district court and provides consulting services on mental retardation issues to the probation department. The project has also co-sponsored with the Bar Association's Mental Health Legal Advisors Committee a seminar for attorneys and criminal justice personnel on retardation problems. A second session is planned for the near future.

****

U.S. APPEALS COURT INDICATES THAT PROBATION IS NOT A SENTENCE

In the case of U.S. v. Becker; (McEntee, J.) on appeal from Senior District Judge Wyzanski, it was ruled that where the defendant pleaded guilty and was given a two-year suspended sentence and placed on probation for one day, the district court may not vacate that sentence three years after its imposition. Even though the period of probation was much shorter than the suspended sentence, the sentence was not illegal, according to the decision.

In the decision, a position of the Massachusetts Office of the Commissioner of Probation was corroborated.

According to the ruling:

> More importantly, whether or not the one-day period of probation granted here is inconsistent with the spirit of the Act as alleged, such inconsistency would not cause the sentence to be illegal for purposes of Rule 35. "Final judgment in a criminal case means sentence. The sentence is the judgment ..... Probation is concerned with rehabilitation ....(i)t does not... change the judgment...." (citation) Probation and sentence are separate and distinct.

(excerpts from Massachusetts Lawyers Weekly, June 21, 1976, 4 MLW 544

URBAN COURT cont. from p. 2

panel recommends community work in lieu of restitution, however, approval of the defendant's placement by an accepting agency must be obtained. The average requirement is 50-60 hours, performing clean-up or maintenance chores. One probationer is currently teaching basketball at the Roxbury Boys' Club as part of his community work.

Judges of the Dorchester Court are not bound to accept the panel's recommendation, but in most cases they do accept either all or part of it. There can be minor points of difference. For example, sometimes judges impose court costs which were not part of the panel's recommendation.

In cases where the panel's recommendation of probation is accepted by the court, the defendant's case is assigned to the associate probation officer who did the initial intake. Current caseload of each associate probation officer is approximately 35 and supervision is similar to that provided by the maximum supervision unit of the Dorchester Court Probation Department.

Associate probation officers must have the same qualifications as other probation officers, including college education and experience in community service. Although not sworn in as probation officers, they have the same powers of supervision and can surrender probationers. The salary is $9500 per year.

Judges require the associate p. o. to maintain the same professional job performance as any other probation officer, according to Pamela DeSanctis, who had two years of prior experience as a probation officer in St. Thomas, Virgin Islands, prior to becoming an associate probation officer in the Urban Court Program. "The judges hold us accountable," she said. "If we don't know the status of an individual, Judge King wants to know why we don't know."

Assisting the APO is a full time social service coordinator and a second staff person who helps to secure jobs and training for probationers. The program has recently decided to utilize further disposition panelists after a recommendation is reached. Six panelists are now helping to escort defendants to community agencies, such as alcohol treatment facilities or in some cases, maintain contact with specific clients; and the number of case aide volunteers is likely to be expanded.

The disposition panel functions with a good deal of autonomy, but regular contact is maintained with the district court probation office. Lloyd Parham, Jr., director of the disposition component, is a probation officer currently on leave from the Dorchester Court. Bernard Harmon, Chief Probation Officer, meets once every two weeks with the associate probation officers to provide informal on-the-job training. He also receives quarterly reports on the status of each defendant.

Although he feels that the program is experimental and is still to be evaluated, Harmon welcomes the needed assistance. He estimates that the approximately 100 cases supervised by APO's reduce the caseload of each probation officer by ten to fifteen cases, preventing what might otherwise be an overburdening situation.

URBAN COURT cont. to p. 10

CHANGE OF PERSONNEL

DESIGNATION AS CHIEF PROBATION OFFICER

Thomas G Cavanaugh, Acting, District Court of Southern Norfolk, Stoughton, effective January 5, 1976.

Vernon J Cormier, Jr , First District Court of Southern Worcester, Dudley, effective May 28, 1976.

Edward J. Keegan, Municipal Court of the Roxbury District, effective April 14, 1976.

Paul R. Kingston, Superior Court for Franklin and Hampshire Counties, effective February 13, 1976.

Edith V. Mace, Municipal Court of the West Roxbury District, effective May 1, 1976.

DESIGNATION AS PROBATION OFFICER-IN-CHARGE

Edward J. Lee, Second District Court of Southern Worcester, Uxbridge, effective May 17, 1976.

DESIGNATION AS FIRST ASSISTANT CHIEF PROBATION OFFICER

Norma Kilson, Municipal Court of the Roxbury District, effective April 14, 1976.

Joseph P. Sullivan, District Court of Lowell, effective April 7, 1976.

DESIGNATION AS ASSISTANT CHIEF PROBATION OFFICER

Benjamin Dames, Municipal Court of the Roxbury District, effective April 14, 1976.

Charles R. Jannino, District Court of Lowell, effective April 7, 1976.

Frederick J. McConaghy, First District Court of Southern Worcester, Dudley, effective May 28, 1976.

Edmund L. Shone, Acting, District Court of Southern Norfolk, Stoughton, effective January 5, 1976.

PERMANENT APPOINTMENTS

Louis A. Airoldi, District Court of Central Berkshire, Pittsfield, effective March 1, 1976.

Mary S. Ball, Municipal Court of the Roxbury District, effective April 13, 1976.

Marcia Bellermann, District Court of Fitchburg, effective May 1, 1976.

Kevin P. Burke, District Court of Newburyport, effective February 19, 1976.

Kenneth F. Candito, Central District Court of Worcester, effective April 1, 1976.

John D. Collins, 80 Curtis Street, Somerville, Municipal Court of the Charlestown District, effective February 25, 1976, a graduate of Boston College with a M. Ed. from Boston State College.

John X. DiVincenzo, First District Court of Essex, Salem, effective April 1, 1976.

Peter Heymanns, District Court of Holyoke, effective April 1, 1976.

Teresa S. Leary, District Court of East Hampden, Palmer, effective March 1, 1976.

PERSONNEL cont. p. 8

PERSONNEL cont. from p. 7

Robert A. Manchino, District Court of Springfield, effective March 1, 1976.

Barbara K. O'Connell, Second District Court of Eastern Worcester, Clinton, effective May 12, 1976.

Edward F. Siudut, Superior Court for Worcester County, effective April 12, 1976.

TEMPORARY APPOINTMENTS

Laura Alfieri, 94 F Street, South Boston, Superior Court for the County of Suffolk, effective March 22, 1976, a graduate of Boston State College.

Anthony P. Boczenowski, 10 Rivergalde Apartments, Amherst, effective June 1, 1976, a graduate of the University of Massachusetts.

Benjamin T. Briggs, 104 Locust Street, New Bedford, Bristol County Juvenile Court, effective April 19, 1976, a graduate of Bridgewater State College.

Nancy V. Burke, 200 Jason Street, Arlington, Probate Court for Middlesex County, effective April 1, 1976, a graduate of Regis College and a former residential counsellor.

John F. Cremens, Jr., 14 Kennedy Park, Woburn, Superior Court for Suffolk County, effective April 15, 1976, a graduate of Boston College.

William F. Crowley, 115 Park Avenue, Arlington, Probate Court for Middlesex County, effective June 1, 1976, a graduate of Northeastern University.

Wayne G. Fall, 6 Chadwick Road, Haverhill, District Court of Northern Essex, Haverhill, effective March 9, 1976.

Nicholas D. Finke, 44 Riverview Avenue, Waltham, Probate Court for Middlesex County, effective March 8, 1976, a graduate of Boston College, with an M.A. from the same school and a former deputy probation officer.

Paula Fitzsimmons, 1590 Centre Street, Roslindale, District Court of Southern Norfolk, Stoughton, effective January 5, 1976, a graduate of Regis College.

Robert E. Glunts, 62 Edgefield Road, Waban, Probate Court for Middlesex County, effective March 8, 1976, a graduate of Suffolk University and a former deputy probation officer.

John Harrington, 156 Ipswich Street, North Billerica, Probate Court for Middlesex County, effective June 1, 1976, a graduate of the University of Massachusetts.

John F. McLaughlin, 90 Loring Road Winthrop, Probate Court for Middlesex County, effective April 1, 1976, a graduate of the University of New Hampshire with a J.D. from the New England School of Law.

Frank E. Siano, 309 Colrain Road, Greenfield, Superior Court for Franklin and Hampshire Counties, effective April 1, 1976, a graduate of the University of Massachusetts.

Charles J. Sillari, 48 Atherton Street, Somerville, Probate Court for Middlesex County, effective April 1, 1976, a graduate of American International College.

Harry Somers, 14 Harvard Street, Lowell, Probate Court for Middlesex County, effective June 1, 1976, a graduate of the University of Lowell.

PERSONNEL cont. to p. 10

PROBATION SYSTEM TRANSFER BILL IS DEFEATED

A bill entitled "An Act Reorganizing the System of Probation Services in the Commonwealth" which included the transfer of responsibility for the probation system from the judicial to the executive branch of government was recently defeated in the Massachusetts Senate. The position of the Massachusetts Judicial Council which opposed the bill is set forth in the following paragraphs:

> . . . Senate (1975)678 is based on the supposition that greater uniformity and coordination within the probation system might best be achieved by a transfer of responsibility to the Executive Branch of the Government.
>
> In place of the Committee on Probation consisting of the chief justices of the various courts, there would be a council on Probation presided over, apparently, by the Secretary of Human Services, or his designee and consisting of two probation supervisors and two district court judges appointed for a term not to exceed two years.
>
> The Council on Probation would perform the function of the present Judicial Committee on Probation. The proposed plan confuses the necessary constitutional separation of powers to be exercised by the Judicial Department and the Executive Department. Even assuming the arrangement could stand a constitutional attack, the proposal is an administrative enigma.

For the past few years, the General Court has been engaged in a very determined and productive campaign to modernize the judicial system and to construct sound administrative practices within the system. We do not think that it would be a sound administrative practice to "farm out" probation to the Executive Branch. We do not mean to indicate that the probation service is perfect, nor do we indicate that there is no room for improvement. We are opposed to this bill or any similar bill which would transfer the probation service to the Executive jurisdiction.

In the course of the year, the Judicial Council has applied to the Governor's Committee on Law Enforcement for a special grant to make an extended study of the probation service so that we will be in a position to make positive recommendations for its improvement as a part of the Judicial Branch of the Government. We plan to complete this investigation during 1976 and to file a special report on probation with the General Court in time for the 1977 session.

PERSONNEL cont. from p. 8

Nancy Sullivan, 161 Ash Street, Fall River, Second District Court of Bristol, Fall River, effective March 10, 1976, a graduate of Bridgewater State College.

Paul A. Trippi, 90 Coolidge Road, Worcester, District Court of Winchendon, effective March 15, 1976, a graduate of Bridgewater State College.

LEAVE OF ABSENCE

Joseph May, Worcester Juvenile Court, effective April 1, 1976.

Frank Toscano, Worcester Juvenile Court, effective March 9, 1976.

Carol White, Boston Juvenile Court, effective April 20, 1976.

RESIGNED

William J Sullivan Boston Juvenile Court, effective March 16, 1976.

RETIRED

H. Elwin Burgess, First District Court, of Southern Worcester, Dudley, effective May 27, 1976.

Thomas M. Gemelli, Municipal Court of the West Roxbury District, effective April 30, 1976.

DECEASED

Albert E. Goslin, Municipal Court of the Roxbury District, April 10, 1976. Mr. Goslin entered the service in 1953.

STERN RESIGNS FROM OCP

Richard W Stern, Grants Manager for the Office of the Commissioner, has resigned, effective June 30, 1976 to enter private business. Mr. Stern joined the OCP staff in 1973 and will be missed by all.

URBAN COURT cont. from p. 6

Harmon feels that the community representation on disposition panels is good from a public relations viewpoint and that the mediation component of Urban Court has prevented further backlog in the district court.

Richard Dwyer, Dorchester Court Administrator, indicates that as a result of the program more people have had an opportunity to look at the court system. "They have become more involved, more interested, and that has helped the court and the First Justice," he said.

The program is currently funded by an LEAA grant of $500,000. At the end of Fiscal Year 1977, however, LEAA funding will be discontinued and the decision to adopt all or part of the program will be made by the Dorchester Court. Probation officers who want further information about the program may attend an informational session usually held on the first Wednesday of each month or may call Lloyd Parham at 825-4900.

JOB MART FOR PROBATIONERS

The third annual Job Mart for ex-offenders and offenders on probation, parole or work release, which is sponsored by the Department of Corrections in conjunction with the Office of the Commissioner of Probation and other state and government agencies, will be held at the Copley Plaza Hotel on September 15, 1976. From 10:00 am to 4:00 pm approximately 200 companies will be represented to interview and inform applicants of available opportunities. Probation officers are urged to inform their eligible clients of the advantages of the Job Mart. Further information can be obtained by contacting Edward Gallagher at 727-3951.

MASS. 56.3:Vol.11/No.3

MASSACHUSETTS PROBATION

BULLETIN FROM THE OFFICE OF THE COMMISSIONER OF PROBATION

Volume 11 Number 3 September 1976

COLLECTION
1976
of Massachusetts

STUDY OF JUVENILE DEFENDANTS IN MASSACHUSETTS

The Research Unit of the Office of the Commissioner of Probation recently conducted a study of juvenile defendants in Massachusetts. The study was based upon a sample of 598 delinquent defendants which comprised all records except minor traffic offenses received in the Office of the Commissioner during a two-week period, February 2-13, 1976. There were 519 males and 79 females in the sample. The sample data consisted of orginal court appearances only; no dispositions of cases were involved. The following is a limited preliminary report of the study. Additional tables are available at the Office of the Commissioner.

Table I

Juvenile Offenses

Against Person	Number	%
Murder	0	-
Assault D/W	12	2
Sexual Assault	5	1
A & B	25	4
Robbery	18	3
Threats, Bribery, Conspiracy	2	*
Subtotal	62	10

Against Property	Number	%
Arson	4	1
B & E	183	31
Larc. less $100	98	16
Larc. more $100	72	12
RSP	23	4
Fraud	1	*
Other	24	4
Subtotal	405	68

Non-assaultive Sex		
Commercial sex	2	*
Unnatural sex	-	-
Other	1	*
Subtotal	3	1

Against Public Order		
Setting up Lottery	-	-
Carry D/W	3	1
Vio. Liquor Law ***	14	2
False Fire Alarm	3	1
Disorderly Conduct	20	3
Other	25	4
Subtotal	65	11

Note: While the projection of juvenile arraignments is 23,000 for 1976, the number of records received varies during any given week.

Editor: Michael Hutner

Assistant Editor: Ann Cronin

The bulletin is published quarterly for the information of the Probation Service, the Judiciary, and the interested public. Correspondence should be sent to: Editor, Room 206, New Court House, Boston, MA 02108.

Publication Number: 6351

Approved by Alfred C. Holland

Drug	Number	%
Present Class A Possession****	12	2
Possession intent sell****	2	*
Dispense, Dist., Manufacture****	-	-
Other	1	*
Subtotal	15	3**
Motor Vehicle		
Oper. und. inf.	1	*
Use w/o Auth.	47	8
Other M.V. Off.	-	*****
Subtotal	48	8
TOTAL	598	101**

* less than 1%
** because of rounding, percentages do not equal the sum of individual components.
*** drinking in public.
**** all drugs.
***** minor traffic offenses were excluded from the sample.

As was expected, offenses against property comprised the largest single category of offenders, but the percentage of such offenses was higher than had been anticipated. Fifty-nine percent of the total sample showed the primary offense as either larceny less than $100, larceny more than $100, or breaking and entering, while the remaining offenses against property - arson, receiving stolen property, fraud and miscellaneous offenses - brought the total of the category to sixty-eight percent of the sample. The balance of the sample conformed substantially to expectations with 11% of offenses against public order and 10% against person. Thirty-three percent of the juveniles had more than one charge. Whether these charges constituted separate events or were adjuncts to the primary offense, it is impossible to say. Fifty percent of all offenses were offenses which would have been felonies if charged against adults.

Table II

Juvenile Defendants by Age

Age	Number	%
Under 9	2	1
9-10	5	1
11-12	34	6
13-14	151	25
15-16	403	67
Over 16*	3	1
	598	101%**

* refers to defendants who were charged as juveniles prior to the 17th birthday.
** percentages do not equal 100% because of rounding.

As expected, a majority (67%) of juveniles were in the 15-16 year-old category. In that age group, property crimes constituted the largest offense group followed by offenses against public order.

The type of offenses charged varied with age. Although motor vehicle offenses were charged less frequently than property and public order offenses, they constituted a larger proportion of arraignments for 15 and 16 year-old juveniles than other age groups. A detailed table is available at the Office of the Commissioner.

Eighty-seven percent of the sample (519) were male and 13% (79) were female. Thirty-four percent of the boys were charged with breaking and entering, while only 10% of the girls were charged with this offense. Forty-four percent of the girls were charged with larceny under $100 (possibly shoplifting) while only 12% of the boys had that charge. While these two results might imply more aggressive behavior on the part of the boys, unexpectedly, a larger percentage (9%) of the

Juveniles cont. p. 12

CHANGE OF PERSONNEL

PERMANENT APPOINTMENTS

Theresa M. Craven, 9 Saint John St., Jamaica Plain, Boston Juvenile Court, effective September 8, 1976, a graduate of Westfield State College.

Daniel J. Kelly, Probate Court for Suffolk County, effective August 3, 1976.

Kim V. Marrkand, 141 Endicott Avenue, Revere, Boston Juvenile Court, effective August 18, 1976, a graduate of Marquette University.

TEMPORARY APPOINTMENTS

Gary L. Ambler, 11 Tetlow Street, Boston, Boston Juvenile Court, effective July 14, 1976, a graduate of the University of Massachusetts.

David E. Coe, 10 Greenbriar Lane, Holden, Worcester Juvenile Court, effective April 27, 1976, a graduate of Northeastern University.

Bernard Dow, 65 Gate Street, Worcester, Central District Court of Worcester, effective July 16, 1976, a graduate of Worcester State College.

Michael J. Dubuc, 11 Tenczar Avenue, South Hadley, District Court of Hampshire, Northampton, effective August 18, 1976, a graduate of Western New England College.

Marianne Kelley, 12 Aldworth Street, Jamaica Plain, East Boston District Court, effective June 2, 1976, a graduate of Cornell University.

Shirley LaPrade, 19 Village Drive, Southbridge, First District Court of Southern Worcester, Dudley, effective July 6, 1976, a graduate of Westfield State College.

Albert N. Newcomb, 44 Story Street, South Boston, East Boston District Court, effective August 11, 1976, a graduate of Suffolk University.

Richard M. Scott, 144 Glenway Street, Dorchester, Boston Juvenile Court, effective July 14, 1976, a graduate of Boston University.

John C. Rubeski, 335 School Street, Belmont, Superior Court for Essex County, effective April 12, 1976, a graduate of Providence College.

Joseph J. Underwood, 319 East Main Street, Marlboro, Municipal Court of the Roxbury District, effective April 20, 1976, a graduate of Central State University, Ohio.

RESIGNED

William Emsley, First District Court of Bristol, Taunton, effective August 31, 1976.

RETIRED

Kenneth E. Prior, District Court of Newton, West Newton, effective August 31, 1976. Mr. Prior entered the service in 1953.

ALCOROL PROBLEMS WORKSHOPS

Application is still open for attendance at the Regional Alcohol Problems Workshop described in Training Memorandum #76-14 which was distributed to all Probation Officers. If you have any questions, call Bob MacGregor or Don Cochran at 617/727-8484. Below is listed the schedule for the Workshops and an application for your use.

ALCOHOL PROBLEMS WORKSHOPS SCHEDULE

Wednesday, September 29, 1976 8:30 - 4:30	MCA Region VIII and IV (Northern Middlesex, Eastern Middlesex, Essex County) Danvers State Hospital - Main Building Danvers, Massachusetts
Wednesday, October 13, 1976 8:30 - 4:30	MCA Region VII (Plymouth, Bristol, Barnstable, Dukes, Nantucket Counties) Lakeville Hospital - Human Service Center Building Lakeville, Massachusetts
Thursday, October 28, 1976 8:30 - 4:30	MCA Region II (Worcester County) Mount Wachusett Community College-Rm201 Green Street Gardner, Massachusetts
Wednesday, November 10, 1976 8:30 - 4:30	MCA Region VI (Suffolk County) Dimock Community Health Center Dimock Street Roxbury, Massachusetts
Wednesday, November 17, 1976 8:30 - 4:30	MCA Region V and III (Southern Middlesex, Norfolk Counties) Alcohol Rehabilitation Center 105 Irving Street Framingham, Massachusetts

----------DETACH HERE----------

REGISTRATION-ALCOHOL PROBLEMS WORKSHOPS

Workshop date_____ Location_____

Name_____

Court_____

PLEASE RETURN TO: WILLIAM R. MACGREGOR
DIRECTOR OF STAFF DEVELOPMENT
OFFICE OF THE COMMISSIONER OF PROBATION
206 NEW COURT HOUSE
BOSTON, MASSACHUSETTS 02108

BOSTON JUVENILE COURT

A commemorative program celebrating the seventieth anniversary of the Boston Juvenile Court, the fortieth anniversary of the Citizenship Training Group, and the tenth anniversary of the Boston Juvenile Court Clinic will be held on Wednesday, November 17, 1976 in John Hancock Hall, 200 Berkeley Street, Boston, Massachusetts. The program is as follows:

8:30 a.m.		Registration
9:00 a.m.	OPENING REMARKS:	The Honorable Clarence J. Jones, Jr. Deputy Mayor, City of Boston
9:15 a.m. - 10:30 a.m.		PANEL "A" " THE CHILD IN THE JUVENILE JUSTICE SYSTEM"
	MODERATOR:	Ms. Patricia P. McGovern Supervising Attorney Mass. Defenders Committee
	PANELISTS:	The Honorable Ronald Harper Bristol County Juvenile Court "The System As It Exists"
		Professor Sanford J. Fox Boston College Law School "Let's Abolish the Juvenile Courts - They Don't Work"
		Joseph W. Zabriski, Ed. D. Dept. of Mental Health Commonwealth of Massachusetts "Delivery of Services System Isn't Working"

10:45 a.m. -
12:15 p.m.

PANEL "B"
"REHABILITATION OR PUNISHMENT?"

MODERATOR: C. Eliot Sands
Commissioner of Probation
Commonwealth of Massachusetts

PANELISTS: George E. Gardner, M.D.
Former Director, Judge Baker Guidance Center
Prof. Harvard Medical School
"Historical Overview"

Commissioner John A. Calhoun
Department of Youth Services
Commonwealth of Massachusetts
"Advocate For Rehabilitative Programs"

The Honorable James W. Dolan
Justice, Municipal Court of the Dorchester District
"Advocate for Punishment"

12:15 p.m. -
1:30 p.m.

Free Time

1:30 p.m. -
3:00 p.m.

PANEL "C"
"THE CHANGING NEEDS OF THE COURT'S CHILDREN"

MODERATOR: Mr. Richard J. Bond
Executive Director
Boston Children's Services Association

PANELISTS: The Honorable George W. Cashman
Justice, Boston Juvenile Court
"The Needs of the Court - Then and Now"

Alice M. Fleming, M.D.
Director, Boston Juvenile Court Clinic
Senior Psychiatrist, Judge Baker Guidance Center

Professor Lloyd E. Ohlin
Professor, Harvard University Law School
"1986?"

TRAINING MEMORANDUM #76-15 - SIMULATED INCARCERATION

On September 17, 1976, the Office of the Commissioner of Probation issued, to all probation officers, Training Memorandum #76-15 - Simulated Incarceration as follows:

Arrangements have been completed for 28 probation officers to participate in a 48-hour weekend simulated incarceration experience. It will be at the Haddam Jail, Department of Corrections, Haddam, Connecticut.

The purpose of this experiential type of training is provided to those probation officers who are interested in an opportunity to become more sensitive to and aware of the psychological and sociological processes which may be experienced by a defendant who has been sentenced to jail. The weekend program is designed to include many situations with which an inmate must deal. Departure will be late Friday afternoon, December 4, and return Sunday evening, December 6, 1976. Transportation will be provided from a central location. Processing will be as for other inmates. Clothing and food will be simple but adequate. Cells will be assigned and routines followed under supervision of guards. Rulebook will be available. Reality will be replicated as carefully as possible. Debrief at the end of the experience is part of the training. Attendance at the "Simulated Incarceration" is authorized pursuant to Massachusetts General Laws, Chapter 276, Sections 85, 94 and 99.

Applicants will be accepted on a first come, first serve basis. Those probation officers who wish to attend, complete the application below and return to:

WILLIAM R. MACGREGOR
DIRECTOR OF STAFF DEVELOPMENT
OFFICE OF THE COMMISSIONER
OF PROBATION
206 NEW COURT HOUSE
BOSTON, MASSACHUSETTS 02108

(signed) C. Eliot Sands
Commissioner of Probation

----------DETACH HERE----------

" SIMULATED INCARCERATION EXPERIENCE"

NAME_____

COURT_____

ADDRESS_____

M A I L B A G

To the Editor:

Earlier this year, the Governor and other executive officials of the state commented that up-coming contract negotiations between the Commonwealth and state employee bargaining units would be tied to an Administration demand for "more productivity" from state employees.

Aside from the political implications of raising this issue at that particular time, I don't believe that anyone can defensively argue against "more productivity" as a standard general policy for all public employees. That includes those presently ineligible to bargain collectively (e.g. probation officers). "Productivity" is defined as "the quality of being productive."

As gleaned from Webster's Unabridged Dictionary, the definition of "productive" as applied to a government agency, would appear to be "yielding or furnishing benefits or results" to the public. The writer would like to examine the possibility of the Probation Service becoming "more productive."

How may the Probation Service best furnish more benefits or results to the public? A search for an answer raises the more basic question -- what is the primary business or objective of probation?

Certainly we are in business to provide service to the court and to gather and provide criminal records to authorized agencies. However, Mr. Joe Public probably wouldn't be impressed by our investigations, our performance in court or our statistical criminal data. Joe wants to know "What are you doing with the guy who mugged me and got probation?" Or, What are you doing about the kid who stole my car and got probation?" And he would ask a similar question about any offense where he was the victim who suffered loss of property, or pain, and loss of time in several court appearances.

The writer would like to answer Joe for probation by saying, "We're doing our best to see that he (or she) doesn't do it again to anybody. The supervision of the probationer in a manner that will dissuade or divert him (or her) from becoming a repeat offender - a "recidivist": this, I believe, is the main business or objective of probation. Moreover, I am convinced that the effective line probation officer achieves this objective with some of those probationers assigned to his (or her) supervision.

The main focus of probation administration then, should be directed towards improving the performance of the line probation officer in achieving the principal objective. There should be an efficient allocation of resources available to the probation service.

Although the writer respects and does not doubt the sincerity or ability of probation administrators, he does have serious doubt as to the prospect of a substantial improvement of efficiency in the probation service. The present funding of the probation service is dependent upon a melange of local, county, and state political entities. This makes for built-in inefficiency. It results in wide discrepancies and disparities among probation offices as to professional and clerical staffing, case management and quality control.

The writer suggests that the entire funding of the probation service be assumed by the state. Because probation is such a vital adjunct of the judiciary, he would suggest that the Governor's Special Committee on Judicial Needs consider this proposal.

Mailbag cont. p. 10

SKILL PERFORMANCE PRACTICAL EXERCISE WORKSHOP

Massachusetts Annual Probation Conference

At this year's Massachusetts Annual Probation Conference. October 19-20, 1976 at the Sheraton-Lincoln Inn, Worcester, a "Skill Performance Practical Exercise" Workshop is offered. The content of the Workshop will cover the advantages, to both the client and the probation officer, of using a systematic appoach to helping clients. The areas of diagnostic skills, case classification, case management, supervision and community resources will be dealt with by use of a cast study and active involvement of the workshop participants. This Workshop will be limited to twenty-one (21) participants who will be expected to attend both the AM and PM session. The Workshop will be repeated the second day for another group of twenty-one (21) participants. Pre-registration will be required on the attached form for those interested in the Workshop. Those applicants accepted will be notified.

----------DETACH HERE----------

MASSACHUSETTS ANNUAL PROBATION CONFERENCE
Skill Performance Practical Exercise Workshop

NAME _____

COURT _____

ADDRESS _____

INDICATE WHICH WORKSHOP DAY IS YOUR FIRST AND SECOND CHOICE. IF YOU PLAN TO ATTEND THE CONFERENCE ONE DAY, THEN CHECK ONLY FOR THAT DAY.

OCTOBER 19 _____

OCTOBER 20 _____

PLEASE RETURN BEFORE OCTOBER 8, 1976 TO: WILLIAM R. MACGREGOR
DIRECTOR OF STAFF DEVELOPMENT
OFFICE OF THE COMMISSIONER OF PROBATION
206 NEW COURT HOUSE
BOSTON, MASSACHUSETTS 02108

OCP REPORTS LATEST PROBATION POPULATION DATA

The number of adults actively supervised by probation officers in Massachusetts has increased substantially during the past three years, according to latest figures compiled by the Office of the Commissioner of Probation. The number of adults on straight probation, probation in conjunction with a suspended sentence or a continuance remained between 41,000 and 43,000 from 1972 to 1974. The number increased to nearly 48,000 in 1975. The growth in the two categories may reflect an overall increase in court appearances, since the number of adults who appeared in court on criminal complaints (including motor vehicle violations) in 1974, approximately 353,000, increased to 399,000 in 1975.

Most of the increase in adult supervisees in the two categories was due to a greater number of adults whose cases were continued and who were placed under supervision, rather than an increase of persons who received straight probation or suspended sentences. The number of men in this supervised "continued without a finding" category increased in greater proportion than women. The male supervised continued cases increased from 10,125 in 1974 to 14,653 in 1975 while the number of females increased from 1504 to only 1889 during that same year.

In contrast to the increase in adult probation caseload, there has been a decrease in juvenile probation caseload from 10,415 in 1974 to 8,751 in 1975 in the straight probation, suspended sentence with probation and continued case with probation categories. The decrease, affecting both boys and girls occurred after a steady increase in juvenile probation population during the previous three years, but coincided with a slight decline in juvenile court appearances from about 25,700 in 1974 to about 24,900 in 1975. This may be due to a decriminalization of status offenses.

Statistics on persons placed on probation are compiled every year from December monthly reports submitted by probation offices. Probation population figures refer to caseload on a specified day (December 31) rather than total number of persons placed on probation during the year. More detailed information about probation population caseload and trends can be obtained from Ann Cronin of the research unit of the Office of the Commissioner of Probation (727-5306).

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Mailbag cont. from p. 8

That is how the writer believes the probation service can be made "more productive" and afford more resulting benefits to the public.

Domenic J. Di Leo
Probation Officer
Middlesex Superior Court

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STAFF APPOINTMENT TO OCP

Preston R. Trager of Malden, Massachusetts has been appointed to the position of Federal Grants Manager in the Program Planning and Management Unit and the Staff Development Unit of the Office of the Commissioner of Probation. Mr. Trager is a graduate of Burdett College and Northeastern University and is a former accounting supervisor for the Converse Rubber Company. He is married and the father of two children.

REGIONAL PAROLE OFFICES

The Massachusetts Parole Board, Paul A. Chernoff, Chairman, has recently established seven regional division offices throughout the state in order to improve the flexibility and quality of client service. Following is a list of the new regional division offices:

REGION #1 - Central Parole Office
Supervisor Fitzgerald
725 Boylston Street, 5th Floor
Boston, MA 02116
727-1583

REGION #2 - Urban Parole Office
Supervisor Murphy
324 Martin Luther King Blvd.
Roxbury, MA 02119
727-6506, 445-8995/8996

REGION #3 - Suburban Parole Office
Supervisor Quinn *
727-3298

REGION #4 - Mid-state Parole Office
Supervisor Baker
90 Madison Street
Worcester, MA 01608
753-7252

* Suburban Parole Office is presently with the Administrative Offices, 100 Cambridge Street, Boston, 02202

REGION #5 - Western Parole Office
Supervisor Ryan
235 Chestnut Street
Springfield, MA 01103
413-733-9014

REGION #6 - Northeast Parole Office
Supervisor Hoey
217 Appleton Street
Lowell, MA 01852
452-4972

REGION #7 - Southeast Parole Office
Supervisor Romsey
165 Quincy Street
Brockton, MA 02402
584-3729

MAIN OFFICE - Room 2207
Leverett Saltonstall Bldg.
100 Cambridge Street
Boston, MA 02202
727-3271

Juveniles cont. from p. 2

girls were charged with assault and battery, compared to 4% of the boys. However, numbers were too small to reach definite conclusions. Offenses for boys tended to be more serious than those for girls, since 54% of male offenses were for offenses which would have been felonies if charged against adults, while only 22% of the girls appeared on such serious charges.

Table III

Comparative Rates (per 100,000) of Juvenile Arraignments for Two-week Period by Region

Region	Rate per 100,000
I	11.0
II	11.4
III	8.6
IV	6.7
V	9.9
VI	15.5
VII	9.8

Residency of juveniles was considered by geographical region. Region VI which encompasses Suffolk County (Boston) plus Brookline, a heavily urban area, showed the highest rate of delinquency at 15.5 defendants per 100,000 inhabitants. Regions I and II, comprising Worcester County and all areas of Massachusetts to the west of Worcester showed the next highest ratio at 11.0 and 11.4 defendants per 100,000. This seems somewhat surprising as the two western regions are more rural in nature than the eastern half of the state. Region IV, the northeastern part of the state had the lowest ratio with 6.7 defendants per 100,000 inhabitants, but the rest of the state remained almost evenly divided. ------ The Office of the Commissioner of Probation acknowledges the assistance of Ms. Frances Bonello, Massachusetts State College Computer Network, in the preparation of this report.

NEW LEGISLATION

The following legislation which has been recently enacted is of interest to the probation service:

Chapter 288

AN ACT Requiring the Probation Officer In Certain Cases To Notify the Court That the Defendant Is Already On Probation Or Parole.

Chapter 288 of the Acts of 1976 amended section 85 of Chapter 276 of the General Laws by eliminating the words "for more than one year" from the following sentence:

"When it comes to the knowledge of a probation officer that the defendant in a criminal case before his court charged with an offence punishable by imprisonment (deleted words) is then on probation in another court or is then at liberty on parole or on a permit to be at liberty, such probation officer shall forthwith certify the fact of the presence of the defendant before his court to the probation officer of such other court or the parole authorities granting or issuing such parole or permit to be at liberty, as the case may be."

MASS J 6.3 vol. 11/no. 4

MASSACHUSETTS PROBATION

BULLETIN FROM THE OFFICE OF THE COMMISSIONER OF PROBATION

Volume 11 Number 4 December 1976

BOSTON JUVENILE COURT IS SEVENTY YEARS OLD

The Boston Juvenile Court celebrated its 70th anniversary together with the 40th anniversary of its Citizenship Training Group and 10th anniversary of the Boston Juvenile Court Clinic on November 17, 1976. A one-day commemorative program featuring three panel discussions was held in the Dorothy Quincy Suite of the John Hancock Building in Boston.

During the first session titled "The Child in the Juvenile System," Judge Ronald Harper, Presiding Justice of the Bristol County Juvenile Court, called for child advocacy by judges, social service agencies and the public, although he felt that secure facilities should be provided for those committed to the Department of Youth Services. Judge Harper also felt that the impact of the juvenile courts on the legislature would be strengthened by the creation of a state-wide juvenile court system headed by a chief justice of juvenile courts.

Taking the opposite view, Professor Sanford Fox of Boston College Law School, called for the abolition of juvenile courts as presently functioning. The basis for juvenile courts, he said, was a philosophy of treatment. This philosophy, he claimed, was leading to court procedures which violated due process rights of juveniles, and frequently involved a process of diagnosis which was contrary to an individual's right to privacy. He also claimed that certain rehabilitation measures could result in unjustifiably lengthy confinement.

Citing recommendations of the Juvenile Justice Standards Project, sponsored by the Institute for Judicial Administration, Professor Fox advocated dispositions for juveniles based on the seriousness of the offense and the culpability of the defendant. Sentencing would be proportional to penalties for adults committing similar crimes; and discretion as to disposition would be entirely the responsibility of the court. Substitution of these new sentencing procedures would not lead to greater overall severity, said Professor Fox.

On a related topic, Professor Fox said that status offenders (runaways, stubborn children, truants and school offenders) should be removed from court jurisdiction entirely, because many first time and less serious offenders who presently receive something less than probation would be referred to children's panels which could obtain services for clients on an informal basis without power of coercion.

Boston Juvenile - cont. on p. 11

Editor: Michael Hutner Assistant Editor: Ann Cronin

The bulletin is published quarterly for the information of the Probation Service, the Judiciary, and the interested public. Correspondence should be sent to: Editor, Room 206, New Court House, Boston, MA 02108.

Publication Number: 6351

Approved by Alfred C. Holland
State Purchasing Agent

CHSB ADDS TO CERTIFIED AGENCY LIST

The following agencies have been certified by the Criminal History Systems Board to receive criminal offender record information. They should be added to previous lists published in the Quarterly

147. Ohio Department of Liquor Control, Permit Division, under Secs. 4309.29 and 4309.292 of the Ohio Revised Code.

148. Methuen Licensing Board, under M.G.L. c. 138, sec. 12.*

149. U.S. Dept. of State, Office of Security, Boston, under 22 USC ss. 2666, 2667, Public No. 268, 32 F.R. 8925 June 22, 1967.

150. Rhode Island Department of Transportation, Registry of Motor Vehicles, under Title 31, Ch. 11, ss. 3, 6, and 7 of the R.I. General Laws.

151. - 227. Veterans Services Department under M.G.L. c. 115, ss. 3 and 5 for the following cities or towns:

Amherst	Gloucester
Andover	Greenfield
Bourne	Groton
Braintree	Harwich
Brockton	Brewster
Burlington	Eastham
Cambridge	Orleans
Central Franklin County	Hudson
	Sandwich
Chelsea	Dennis
Chester	Barnstable
Chicopee	Yarmouth
Clinton	Mashpee
Concord	Lakeville
Dedham	Leominster
Dighton	Lexington
East Bridgewater	Lincoln
Eastern Essex	Lynn
Easthampton	Marblehead
Easton	Marshfield
Fall River	Mattapoisett
Fitchburg	Rochester
Framingham	Melrose
Middleton	Quincy
Milford	Raynham
Middleboro	Reading
Natick	Rockland
Needham	Salem
Dover	Shrewsbury
New Bedford	Somerville
North Adams	Springfield
North Attleboro	Swansea
North Essex	Taunton
Topsfield	Tisbury
Georgetown	Wakefield
Groveland	Wareham
Rowley	Warren
West Newbury	Watertown
Newbury	West Bridgewater
Northboro	Western Franklin
Northbridge	Shelburne Falls
Norton	Westfield
Norwell	Westport
Norwood	Wilbraham
Palmer	Wilmington
Pembroke	Winchester
Pittsfield	Woburn

228. Board of Selectmen of the Town of North Attleboro, under M.G.L. c. 138, sec. 12.*

229. Oregon State Board of Medical Examiners for revocation or suspension of a medical license upon conviction of a felony, pursuant to Oregon Revised Statute s. 677.190(7), under M.G.L. c. 6, s. 172(b).

230. Office of the Secretary of State, Commonwealth of Massachusetts for the purposes of activities related to pardons pursuant to M.G.L. c. 127, s. 152; c. 127, s. 157; c. 276, s 16; and c. 276, s 20L.

231. Enforcement Bureau of the Pennsylvania Liquor Control Board under M.G.L. c. 6, s. 172(a), and the Pennsylvania Liquor Control Board under M.G.L. c. 6, 172(b)

232. - 258. Veterans Services Department under M.G.L. c. 115, secs. 3 and 5 for the following cities or towns:

CHSB - cont. on p. 12

YOUNG OFFENDERS PREDOMINANT IN STUDY OF UNLAWFUL USE OF AUTOMOBILES

The Research Unit in the Office of the Commissioner of Probation recently undertook a study of persons who had appeared in court on a charge of using an automobile without authority. A sample of 169 cases was drawn during a two-week period, July 12-23, 1976, from new court appearance records as they were received in the Office of the Commissioner of Probation. The study considered initial appearances only and no dispositions were involved. Seventy-nine percent of the offenders were 21 years of age or under (Table I). Male offenders outnumbered female offenders 10-1 (Table I), and the highest proportion of offenders was recorded in Region VI, Suffolk County (Table II). Seventy-five of 169 cases had only the sample offense of using without authority, 94 of the cases had two or more charges (Table III). In 40 of the cases, the sample offense was accompanied by a more serious offense; 18 of the associated offenses were for breaking and entering (Table IV). The current study could not determine whether some of the more serious charges were separate events or adjunct charges resulting from illegal entry into the car involved in the sample case.

Table I
ARRAIGNMENT BY AGE, BY SEX

	Male		Female		Totals	
Age	No.	%	No.	%	No.	%
Under 17	58	38%	5	33%	63	- 37%
17 - 21	63	41%	8	53%	71	- 42%
22 - 23	14	9%	0	0%	14	- 8%
24	19	12%	2	13%	21	- 12%
	154	100%	15	99%	169	99%*

*Total does not equal 100% due to rounding

TABLE II
ARRAIGNMENT BY REGION

Region	No.	Rate per 100,000 *
I	28	3.6
II	19	2.8
III	19	2.2
IV	24	3.2
V	14	1.9
VI	58	4.8
VII	4	.6
Out of State	3	
	169	

*based on two week sample

Region I - Berkshire, Franklin, Hampshire and Hampden Counties

Region II - Primarily Worcester County

Region III - Northern and Northwestern Middlesex County and the Lowell area

Region IV - Essex County plus the Malden-Medford-Everett area in Middlesex County

Region V - Most of Norfolk County plus the southernmost section of Middlesex County

Region VI - Suffolk County plus Brookline

Region VII - Southernmost Norfolk County plus the Brockton area and all of southeastern Mass.

TABLE III
TOTAL NUMBER OF CHARGES FOR EACH DEFENDANT

No. of Charges	No. of Cases	%
1	75	44%
2 or more	94	56%

DRUG EDUCATION SEMINARS TO BE HELD IN 1977

A series of drug education seminars sponsored by the Massachusetts Department of the Attorney General will be held in 1977. Probation officers wishing to attend should contact Assistant Attorney General Brian Gilligan, One Ashburton Place, Boston, Ma. 02108 (617-727-3039). Clearance by the presiding justice and chief probation officer of his court must be obtained by each probation officer before enrolling for the seminars. Following is a schedule of the dates and locations:

Date	Institution	Place
1977		
Jan. 10-20	M. D. C. Academy	Medford
Jan. 31-Feb. 10	State Police Academy	Framingham
Feb. 21-March 3	Salem State College	Salem
Mar. 14-24	Dean Jr. College	Franklin
Apr. 4-14	Quinsigamond Comm. College	Worcester
Apr. 25-May 5	Northern Essex Comm. College	Haverhill
May 23-June 2	Berkshire Comm. College	Pittsfield
June 6-16	Mass. Maritime Academy	Buzzards Bay

FISKE EXPLAINS JUDICIARY SALARY INCREASE

In a memorandum to Commissioner Sands, John A. Fiske, Executive Secretary to the Supreme Judicial Court for the Commonwealth of Massachusetts, set forth the following in regard to Probation as part of the judiciary and the bonus and cost-of-living increase.

"In Massachusetts, the probation service is part of the judiciary. As Chief Justice Hennessey wrote in the decision of the Supreme Judicial Court in Massachusetts Probation Association v. Commission of Administration (July 12, 1976), '. . . probation officers are employees of the judicial branch of government. . . Control over probation officers is vested in the judiciary. . . including. . . .the Commissioner of Probation.' As far as I am concerned, all employees of Probation, be they probation officers in the field or employees of the Commissioner in the probation central file, are members of the judicial department of government.

"As far as the cost-of-living increase is concerned, this office is working with a committee of judges, as requested by counsel for the Governor, to prepare for the Governor a request for appropriation to submit to the legislature in January, 1977. This request will include the cost-of-living increase for all state-funded* members of the judiciary and this office has already received from your office great cooperation in providing us with the information necessary to include probation employees in this request."

*emphasis added by editor.

PROBATION MAY BE REVOKED FOR NEW OFFENSE

On October 15, 1976, the Massachusetts Supreme Judicial Court handed down a decision which is of interest to the probation service. The court ruled on whether conviction in a district court on an offense which was being appealed to Superior Court was sufficient basis for revocation of probation imposed for a prior offense. According to the ruling, "Any conduct by a person on probation which constitutes a violation of any of the conditions of his probation may form the basis for the revocation of that probation. Such conduct may invoke the violation of criminal laws, but there is no prerequisite that the probationer be convicted thereof to permit the violation to be used as the basis for the revocation.....

"If the act alleged to be a violation of probation is made the subject of a criminal complaint, the commencement of the criminal prosecution does not preclude the revocation of the earlier probation nor does it require that the revocation proceedings be deferred until the completion of the new criminal proceeding.....

"Further, if the act relied on as a violation of an earlier probation results in a criminal conviction, the fact that the conviction is awaiting appellate review does not prevent it from forming the basis for the revocation of probation.

"The court also held that the "Guidelines Regarding Surrender and Revocation of Probation" issued by the Commissioner of Probation were only guidelines and therefore Probation Manual IIA-9-73, Paragraph 5G* did not have the force and effect of law."

Court Decision - cont. on p. 9

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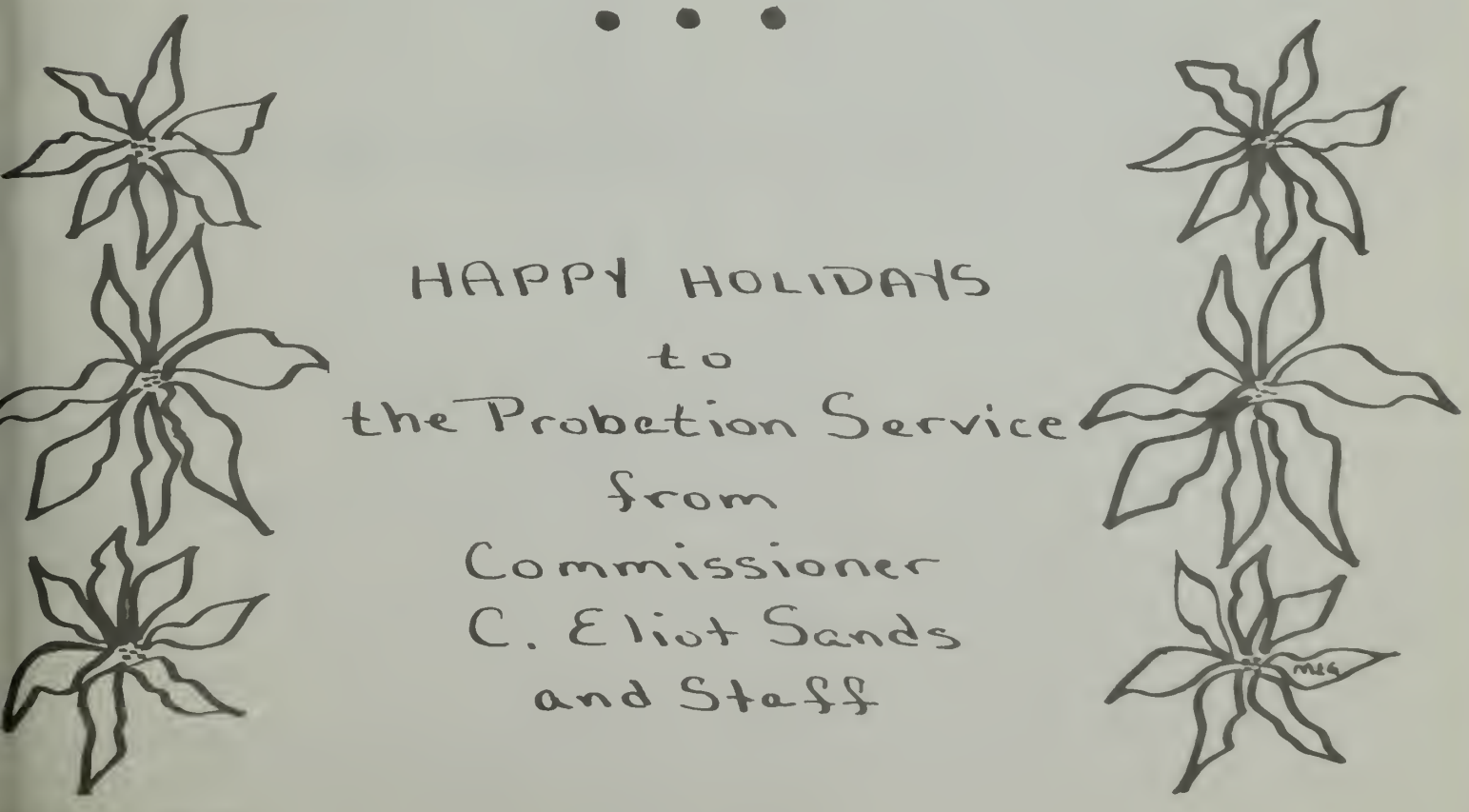

CHANGE OF PERSONNEL

DESIGNATION AS CHIEF PROBATION OFFICER

Walter H. Burke III, District Court of Hampshire, Northampton, effective September 11, 1976. Formerly Assistant Chief Probation Officer in the same Court.

Bernard H. Chadwick, First District Court of Bristol, Taunton, effective September 7, 1976. Formerly Assistant Chief Probation Officer, Fourth District Court of Plymouth, Wareham.

Marie T. Kenney, Acting, District Court of Newton, effective October 21, 1976.

DESIGNATION AS FIRST ASSISTANT CHIEF PROBATION OFFICER

Donald J. DeMita, Middlesex County Probate Court, effective November 1, 1976.

DESIGNATION AS ASSISTANT CHIEF PROBATION OFFICER

Thomas N. Barouk, Worcester Juvenile Court, effective October 29, 1976.

Thomas A. Cummings, Fourth District Court of Plymouth, Wareham, effective September 27, 1976.

Daniel Doherty, Municipal Court of the Charlestown District, effective September 15, 1976.

Ann F. Donovan, Plymouth Juvenile District, effective October 8, 1976.

Keith E. McDonough, Central District Court of Northern Essex, Haverhill, effective September 28, 1976.

Eugene Sheehan, District Court of Hampshire, Northampton, effective November 8, 1976.

PERMANENT APPOINTMENTS

Benjamin T. Briggs, Bristol County Juvenile Court, effective November 1, 1976.

David E. Coe, Worcester Juvenile Court, effective October 29, 1976.

James L. Dunn, 19 Center Street, Weymouth, Municipal Court of the Charlestown District, effective September 1, 1976, a graduate of Boston College.

Mrs. Sandra J. Kieltyka, District Court of Springfield, effective October 1, 1976.

Martha Monell, District Court of East Norfolk, Quincy, effective November 18, 1976. Previously a probation officer at the First District Court of Southern Middlesex, Framingham.

William T. McAndrew, First District Court Bristol, Taunton, effective December 1, 1976. Previously a probation officer at Suffolk County Probate Court.

Kirk J. O'Reilly, 41 Brookside Avenue, Brockton, Plymouth Juvenile District, effective October 4, 1976, a graduate of Boston State College and a former probation aide.

Edward Sahady, 48 Barre Street, Fall River, Second District Court of Bristol, Fall River, effective November 1, 1976, a graduate of Bates College and a former Associate Director of the Pre-Trial Diversion Unit at the Second District Court of Bristol, Fall River.

Personnel - cont. on p. 8

STAFF DEVELOPMENT TRAINING SCHEDULE IS ANNOUNCED

To address the issue of decentralization of the training function in the probation service, the major priority of the Staff Development Unit of the Commissioner's Office for the year 1977 will be in the area of Training for Local Trainers. Each Chief Probation Officer in courts with staff of five or more Probation Officers has been requested to submit the name of the Assistant Chief Probation Officer who will be designated as the local trainer.

The decision to establish the Training for Local Trainers as the major priority for the Staff Devlopment Unit for 1977 follows from recommendations made first in the 1975-76 Probation Training Needs Survey conducted by the National Council on Crime and Delinquency. The problems were more clearly defined in June 1976 at a meeting of the Chief Probation Officers at Boxborough where the issues of local training needs and statewide training needs were put into sharper focus by the representatives of 78 courts. Further work was then accomplished at the Commissioner's Annual Conference in Worcester in October 1976 when the Staff Development Unit met with the Assistant Chief and Chief Probation Officers.

The new emphasis on local trainers is considered an effective way to incorporate unique contributions of local programs into the training process. Through this emphasis and by providing other training, the Staff Development Unit will attempt to meet the spectrum of staff development needs within the probation service.

As a result of the above process of identification of training needs, the following workshops are scheduled to date for the year 1977:

Probation Management Institute - January 17-21 - overnight - for Chief and Assistant Chief Probation Officers.

Follow-up for Management Training - February 22-23 - overnight follow-up of the September 1976 Probation Management Institute.

Follow-up Management Training - June 6-7 - overnight - follow-up of January 1977 Probation Management Institute.

Two day Rape Workshops - offered by Mass. Criminal Justice Training Council - open to all probation officers. Tentative schedule:

January 11-12 - Framingham
January 18-19 - Springfield
February 1-2 - Lakeville
March 1-2 - Boston

Further details to be announced.

Local Trainer Workshop - one full week - to be held regionally. For Assistant Chiefs designated as Local Trainers - January 24-28, February 14-18, March 21-25.

Juvenile Court Probation Special Workshops open to all probation officers. Tentative dates - March 29, 30, 31, April 5, 6, 7, 13, 20, 27 and May 4. Topic to be announced.

Superior Court Probation Special Workshops open to all probation officers. Tentative dates - May 11, 18, 25 and June 1, 8, 15 Topic to be announced.

Orientation for New Probation Officers - eight full days per workshop. March 7-16, June 20-29, September 19-28.

Training - cont. on p. 12

Personnel - cont. from p. 6

Paul A. Trippi, 96 Coolidge Road, Worcester, District Court of Winchendon, effective September 15, 1976, a graduate of Bridgewater State College.

Jocelyn H. Wilkins, 484 Commercial Street, Provincetown, Second District Court of Barnstable, Orleans, effective September 15, 1976, a graduate of Bates College.

TEMPORARY APPOINTMENTS

Timothy Best, 102 Cass Avenue, West Springfield, District Court of Western Hampden, Westfield, effective September 27, 1976, a graduate of Westfield State College, and a former probation aide.

Donald R. Bradford, 20 E. Cleveland Street, Greenfield, District Court of Franklin, Greenfield, effective July 1, 1976, a graduate of the Univ. of Mass.

Julie A. Burke, 149 Colonial Bell Drive, Brockton, Plymouth Juvenile District, effective September 27, 1976, a graduate of Bridgewater State College and a former probation aide.

Harvey L. Calichman, 20 Thornton Street, Revere, District Court of Peabody, effective June 1, 1976, a graduate of Northeastern University.

Andrew H. Chmielinski, 96 Harvard Street, Dedham, District Court of Northern Norfolk, Dedham, effective October 4, 1976, a graduate of the University of Massachusetts and a former correctional counsellor at the Department of Correction.

Ann C. Gallagher, 54 Thorndike Road, Lowell, Probate Court for Middlesex County, effective November 1, 1976, a graduate of Merrimack College.

Robert J. Geary, 7 Essex Place, Chelmsford, Probate Court for Middlesex County, effective November 1, 1976, a graduate of Merrimack College.

Patricia S. Kane, 16 Keys Drive #6, Peabody, District Court of Southern Essex, Lynn, effective October 1, 1976, a graduate of Salem State College.

James F. King, 58 Brighton Road, Worcester, Probate Court for Worcester County, effective August 2, 1976, a graduate of Westfield State College.

Kevin P. Lucey, 826 East Street, Ludlow, District Court of Hampshire, Northampton, effective September 9, 1976, a graduate of Westfield State College.

John E. McLaughlin, 105 Market Street, Rockland, Fourth District Court of Plymouth, Wareham, effective October 4, 1976, a graduate of Boston College.

William P. Nagle, Jr., 285 Forest Street, Marshfield, First District Court of Barnstable, Barnstable, effective October 7, 1976, a graduate of Boston State College.

Guy J. Petteruto, 218 Osgood Street, Lawrence, District Court of Lawrence, effective October 1, 1976, a graduate of Fitchburg State College.

Arthur Robbins, 132 Lyme Street, Malden, First District Court of Eastern Middlesex, Malden, effective September 1, 1976, a graduate of Suffolk University.

Personnel - cont. on p. 9

Personnel - cont. from p. 8

John L. Sullivan, 67 Linda Avenue, Framingham, District Court of Newton, effective September 28, 1976, a graduate of Christian Brothers College.

Patricia A. Toolin, 753 Central Street, Framingham, First District Court of Southern Middlesex, Framingham, effective October 16, 1976, a graduate of Emmanuel College.

Colleen A. Trainor, 45 Dailey Terrace, Fitchburg, First District Court of Northern Worcester, Gardner, effective October 4, 1976, a graduate of Anna Maria College.

Francis M. Wall, 105 Metropolitan Avenue, Roslindale, Municipal Court for the Dorchester District, effective October 26, 1976, a graduate of Northeastern University.

William J. Winn, 166 Stevens Street, Lowell, District Court of Lowell, effective September 20, 1976, a graduate of Northeastern University and a former correction officer.

LEAVE OF ABSENCE

A. Gerard Beauchamp, Essex Juvenile District, effective October 25, 1976.

Donald Cochran, First District Court of Eastern Middlesex, Malden.

Michael McCartney, District Court of Western Hampden, Westfield, effective September 23, 1976.

John J. O'Neil, District Court of Northern Norfolk, Dedham, effective October 4, 1976.

Karen A. Stathis, District Court of Holyoke.

Robert E. Triulzi, Central District Court of Northern Essex, Haverhill, effective October 1, 1976.

RESIGNED

Charles Graham, Municipal Court of the City of Boston, effective November 16, 1976.

James F. McMahon, Superior Court for Middlesex County, effective October 1, 1976.

Gerald F. Moore, District Court of Lowell, effective September 31, 1976.

James L. Otway, Central District Court of Northern Essex, Haverhill, effective September 9, 1976.

RETIRED

Jeremiah G. Lucey, District Court of Hampshire, Northampton, effective September 11, 1976.

Joseph May, Worcester Juvenile Court, effective October 29, 1976.

DECEASED

Daniel J. Kiley Jr., Fourth District Court of Bristol, Attleboro, October 27, 1976. Mr. Kiley entered the service in 1968.

Court Decision - cont. from p. 5

*(Probation Manual IIA-9-73, Para. 5G)

When there is a subsequent criminal complaint against the probationer, if the case has not been appealed, the record of the finding and disposition in the same court or a certified copy thereof from another court, shall be admissible in any probation revocation hearing, preliminary or final. If an appeal of the case is pending, such finding shall not be admissible. The pendency of an appeal, however, shall not preclude a probation revocation proceeding. (This standard is currently being revised by the Commonwealth and the Committee on Probation).

LAW OFFENDER SERVICES CAN HELP PROBATION CLIENTS

The following list of staff and locations of the Law Offender Services, a unit of the Division of Employment Security (DES) which provides testing, counseling and training for probation clients and ex-offenders is published for the use of the probation service. The list is updated as of October 25, 1976. For additional information or to develop liaison with Law Offender Services teams, call 727-3496 or 727-3497.

Administrative Office
727-3496--3497--8579
Charles F. Hurley Building
Government Center, Boston

Staff

Arthur DesRoches, Chief Supervisor
Lois E. Stryker
James A. Mahoney
Donald E. Murphy
Susanne E. Dionne--and
Wellesley College internes:
Joy Kruse and Rochi Bhardwaj

BOSTON--440-9500 ext. 344
85 Warren Street
Roxbury, Mass.

Staff

Warren Hamilton, Office Manager
Brian Bowles
Pedro Lopes
Richard McCabe 846-2760
(including outreach service to
Roxbury District Court and
Suffolk County House of Correction)

BOSTON--METROPOLITAN--471-2750
1433 Hancock Street
Quincy, Mass.

Staff

Robert Daly, Supervising Office Manager
Ralph Phillips
Richard MacDonald
(including outreach service to
East Norfolk District Court)

WORCESTER--791-8551
51 Myrtle Street
Worcester, Mass.

Staff

Leo Martin, Office Manager
Edward Wirt
Douglas Tufts
Patricia Moriarity
Raymond Dube
Ronald Petula
(includes out service to Parole Multi-service center)

BROCKTON--586-8100
25 White Avenue
Brockton, Mass.

Staff

Loretta Kennedy, Supervising Office Mgr.
Leo McCann
James Ireland

LOWELL--457-7641
291 Summer Street
Lowell, Mass.

Staff

Samuel O'Bryant, Supervising Office Mgr.
Dennis O'Donnell
Manya Teague

Although a formal weekly outreach commitment has not been made in all communities, each team has developed inter-agency tie-ins for maximum services to the offender job applicant.

NATIONAL ACCREDITATION STANDARDS BEING DEVELOPED

The Commission on Accreditation for Corrections which is affiliated with the American Correctional Association is developing an accreditation procedure for correction and related agencies. Speaking at the Annual Probation Conference in Worcester on October 20, 1976, Fred D. Fant, Assistant Director for Probation in New Jersey, and a member of the Commission, outlined a tentative accreditation procedure.

The accreditation process will consist of three stages. The first will be a self-assessment by the agency being evaluated. If the agency meets initial requirements, a committee of the Commission will do a site evaluation and submit the report to the Commission. The Commission will then forward the report to the agency.

There are similarities between the accreditation process being considered by the Commission and those proposed for Massachusetts Probation by an advisory task force on probation accreditation. Both plans require self-evaluation and site visits. The Commission standards, however, may number four or five times those proposed in Massachusetts. The plan of the Commission will probably provide for the granting of accreditation of from three to five years, depending on the extent of agency compliance to standards. In contrast, the Massachusetts plan provides for a two-year provisional accreditation or a five-year full accreditation, depending on the extent of agency compliance.

The entire process for an agency to be accredited by the Commission is expected to take approximately 13 months. Accreditation fees are being structured in accordance with the size and complexity of the agency. It is expected that standards for probation services will be completed within

Boston Juvenile - cont from p. 1

John A. Calhoun, Commissioner of the Department of Youth Services, discussed new programs and procedures within DYS He announced that he would seek funding for secure facilities in addition to the 49 currently available, but stressed that such units be small and well planned.

Calhoun stated that confinement was sometimes necessary "to cool down a situation" but that separation from a "collapsed and warring family" or from a school which marked the client a failure was not an effective punishment. "It serves only to drive the nail of bitterness deeper," he said. At the same time, he felt that offenders should not simply be free. He recommended instead probation, restitution or community work requirements, all of which placed reponsibility on the defendant.

The Honorable James W. Dolan, Justice of the Dorchester Municipal Court criticized the present lack of secure facilities at DYS stating that youths committed to DYS are repeat offenders, usually prior probationers He urged that DYS stress the setting of limitations and controls and deplored the fact that DYS frequently did not provide these He urged that the power to sentence youths be returned to the courts to avoid the annonymity and unaccountability of a DYS placement decision. It the courts controlled sentences, he said, DYS could not release youths who should be held and could not avoid the necessity of additional secure facilities

LEGISLATION OF INTEREST TO THE PROBATION SERVICE:

Chapter 533

AN ACT Authorizing Work Activities for Juvenile Offenders provides that if a child is placed on probation, one of the conditions of probation may include a requirement that the child do work or participate in activities of a type and for a period of time deemed appropriate by the court. Approved October 27, 1976.

Chapter 262

AN ACT Further Regulating Appeals From District Courts in Suffolk County in Juvenile Cases to the Boston Juvenile Court provides that until December 31, 1977, a child adjudged a delinquent child in any district court in Suffolk County shall* appeal to the Boston Juvenile Court and a child adjudged a delinquent child in the Boston Juvenile Court may appeal to said court and claim a jury of twelve. Approved July 27, 1976.

*Emphasis added by editor

Unl. Use - cont. from p. 3

TABLE IV
OFFENSE ACCOMPANYING CHARGE OF USING WITHOUT AUTHORITY

Offense	No.
Murder-Manslaughter	1
Robbery	3
B & E	18
Larceny, less than $100	9
Larceny, more than $100	1
Receiving stolen property	1
Misc. Property	1
Carrying Dangerous Weapon	2
Assault with Weapon	4
Total	40

CHSB - cont. from p. 2

Bridgewater	Malden
Canton	Medford
Amesbury	Newburyport
Athol	Peabody
Attleboro	Rehoboth
Bellingham	Revere
Brookline	Scituate
Dracut	Southampton
Dunstable	South Hadley
Duxbury	Granby District
East Weymouth	Tewksbury
Everett	Uxbridge
Hopkinton	Westwood
Holyoke	Worcester

259. Office of Inspector General, Department of Housing and Urban Development, Central Office, Washington.

260. 263. Veterans Services Department under M.G.L. c. 115, secs. 3 and 5 for the following cities or towns:

Ashland	Eastern Franklin
Millbury	Winchendon-Templeton District

264. Board of Selectmen of the Town of Scituate, under M.G.L. c. 138, sec. 12.

Training - cont. from p. 7

Theory and Strategy of Behavior Change - for Local Trainers - one afternoon per week for 9 weeks from 1-4 p.m. In the western part of the state during period covering April 14-June 16 and in the eastern part of the state from October 6-December 15.

Systematic Helping Skills - for Local Trainers - one afternoon per week for 10 weeks from 1-4 p.m. In the eastern part of the state during period covering April 12-June 14 and in the western part of the state from October 5-December 14.

Group Dynamics - for Local Trainers - one afternoon per week for 10 weeks from 1-4 p.m. during period covering October 4-December 13.

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MASSACHUSETTS PROBATION

BULLETIN FROM THE OFFICE OF THE COMMISSIONER OF PROBATION

Volume 12 Number 1 April 1977

HOSTILE DRIVERS AND ALCOHOL DON'T MIX

by

Richard Zylman

Despite stepped-up efforts, the DWI (driving while impaired or intoxicated) enforcement programs are failing to reduce the number of serious and fatal crashes.

Each International Congress on Alcohol, Drugs and Traffic Safety has signified new accomplishments in developing techniques to identify, arrest, and test the alcohol-impaired driver, and each conference brings to light new problems which have developed because those new techniques did not accomplish their intended purpose.

The elusiveness of the high-risk "killer drunk" is apparent in the lack of dramatic results from recent comprehensive countermeasure programs in the United States. Twenty-nine areas were selected for concentrated, community-centered, federally-funded Alcohol Safety Action Programs (ASAPs) designed to dissuade persons from drinking to excess before driving. Those projects, each of which cost in excess of $1 million, involved special training for police, prosecutors, judges, and community leaders, as well as widespread public education programs. Stepped-up police patrols and screening and rehabilitation programs have also been instituted. Such programs have now been operational for two years. In spite of massive increases in arrests and prosecution, no important and lasting changes can be seen.

In an evaluation of those ASAP programs, officials cautiously attribute a small decrease in nighttime fatal crashes to the countermeasure programs. Although it may be believed by some that this meager improvement in the fatal crash situation is a result of the vastly increased enforcement programs, that is not the case.

It is stated in the official DOT evaluation report, "The overall relationship of arrest activity ... vs. changes in fatal crash data for the projects yielded no statistically significant results." "... an analysis of arrest data per licensed driver shows that seven of the ten projects with the highest arrest rate still reported an in-

DRIVERS cont. p. 2

Editor: Michael Hutner Assistant Editor: Ann Cronin

The bulletin is published quarterly for the information of the Probation Service, the Judiciary, and the interested public. Correspondence should be sent to: Editor, Room 206, New Court House, Boston, MA 02108.

Publication Number: 6351 Approved by Alfred C. Holland

DRIVERS cont. from p. 1

crease in fatal crashes. In addition five of the ten projects with the largest increase in arrests still reported increases in fatal crashes." Actually, a close examination of the data reveals that the converse was also true; there was a decrease in fatal crashes in those areas with the smallest increase in arrests. Overall, however, the official statement is correct: "There is no evidence of a relationship between alcohol-related arrest activity and the change in level in nighttime fatal crashes."

Where Did We Go Wrong?

Part of the reason why progress cannot be measured is that the problem has been exaggerated. Statements to the effect that alcohol is involved in 50% of all traffic deaths are usually based on incomplete and biased data The studies on which the "50%" figure is based, as a rule, consist of a collection of information about people who were killed in auto crashes rather than a systematic random or consecutive selection of data. Such studies include only 50 to 70% of all traffic fatalities in a given area. Closer examination of the data reveals that those killed in the nighttime or in single car crashes and who are between 18 and 60 years old are much more likely to be tested for alcohol than those killed in the daytime, in multivehicle crashes and who may be younger than 18 or older than 60. Thus, if those most likely to have been drinking are most likely to be tested for alcohol, it is no wonder that a high proportion of those tested have high BACs (blood alcohol concentrations). Yet, this is the kind of information on which the "50%" figure is based

In addition, that "50%" figure is based on a preconception that anyone who is involved in a collision after having a drink is automatically at fault and, conversely, that anyone who had not been drinking is innocent and that such "innocent" persons are frequently killed by drunks. The truth of the matter is that (1) drunk or sober, the responsible party is more likely to be killed in a crash, (2) that not all accident-involved drinking drivers are responsible for the crash in which they died, and (3) that more than seven out of ten of all sober drivers killed are responsible for their own death. My recent review of the literature reveals that the number of traffic deaths that may involve alcohol in some causal fashion may be closer to 30% than to 50%.

Thus, a major reason why progress cannot be shown against the alcohol-related fatal crash problem is that the magnitude of the problem has been inflated It is most difficult, if not impossible, to measure the effects of a countermeasure program if the problem toward which it is directed, at least in part, does not exist.

The Wrong People Arrested?

At this point we might ask why, with such massive enforcement programs in which as many as three out of every 100 licensed drivers might be arrested for DWI in any given year, there is not an important impact on the traffic death problem.

The official evaluation report gives another part of the answer: "A remaining analytic task is to relate the profiles of drivers arrested to those fatally injured and to those both successful and unsuccessful in rehabilitation programs. This is an extremely important task since it may be that the type of person arrested is not the type of person heavily involved in fatal crashes." In other words, we are not even certain that we are arresting and prosecuting the "right"

Drivers cont. p. 9

DUIL PROGRAMS MAY REDUCE RECIDIVISM

Under legislation enacted in 1974 (G.L. Ch. 90, sec.24D) and modified in 1975 (G.L. Ch. 90, sec.24D,24E), programs were established designed to receive referrals from all district courts of persons appearing to answer charges of driving under the influence of alcohol. Based on information received by the Office of the Commissioner of Probation (OCP) from probation offices in 1976, it is estimated that 14,986 defendants entered the program, 2,245 after being found guilty and 12.741 whose cases were continued without a finding.

In January, 1977, questionnaires were mailed by the OCP to all district court probation offices requesting information about DUIL (Driving Under the Influence of Liquor) programs during 1976. The responses will be the basis for a report to the Division of Alcoholism (Massachusetts Department of Public Health). The questionnaires were not designed as full evaluations of DUIL programs. They did not seek to elicit answers to questions about a "target group"; i.e., whether the program should be directed at a smaller, more defined group of hostile or aggressive intoxicated drivers rather than all persons found driving while intoxicated. Nor was the efficiency of DUIL programs studied. Instead, the questionnaires were designed to obtain some indication of communication and cooperation between probation offices and DUIL programs, court practices of restricting driving privileges. recidivism of enrollees and extent of follow-up treatment. A full report of the findings will be made to the Division of Alcoholism and will be available to probation offices by May 1, 1977.

Although there was no comparison group, the dropout rate of persons who enrolled in the program appeared to be low. Of the 69 probation offices which responded to the specific question, 38 (55%) indicated that fewer than 5% of enrollees failed to complete the course. An additional 24 offices (35%) said that dropouts were between 5% and 10% of total enrollees.

Recidivism of those completing the course also appeared to be low. Probation offices were asked to estimate the number of DUIL defendants who, during the year, appeared on subsequent DUIL offenses, non-DUIL offenses which were related to use of alcohol, and other offenses where drinking behavior was not a related factor. The duration of time used in the estimate of recidivism varied among courts; six months was a likely average.

Thirty-four probation offices or about half of the 67 offices responding to the question reported that repeat DUIL offenders numbered fewer than 5% of all graduates. Another 21 (31%) reported DUIL recidivism was between 5% and 10%. One court reported that 30% of all DUIL program graduates were repeat offenders.

Results also seem to indicate that a low percentage of enrollees who completed the 90-day program appeared on non-DUIL offenses where alcohol was involved. Of 49 courts responding to the question, 28 reported subsequent non-DUIL alcohol related offenses in fewer than 5% of cases; thirteen courts reported such offenses among 5% and 10% of all graduates. In no court did more than 20% of all defendants reappear on non-DUIL alcohol related offenses.

A slightly larger number of DUIL defendants may have committed non-alcohol related offenses. Twenty one of 51 courts reported that fewer than 5% of

DUIL PROGRAMS cont. on p. 4

DUIL PROGRAMS cont. from p. 3

all graduates appeared on subsequent non-alcohol related offenses. Seven courts responded that subsequent criminal appearances occurred among 15% or more of program graduates. It appeared, therefore, for a relatively small number of defendants, probably between 5% and 10% of DUIL graduates, criminal behavior was not directly related to alcohol consumption.

In conclusion, few persons enrolled in the program failed to complete the course; furthermore, initial results indicated that course graduates appeared to have a low subsequent court appearance rate.

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HISPANIC RESOURCE DIRECTORY IS AVAILABLE

A State-wide resource directory compiled by the Hispanic - Portugese Program of the Massachusetts Department of Public Welfare was issued in October, 1976.

Many agencies throughout the state which have Spanish or Portugese speaking contact persons are listed, together with the type of service offered and the category of client eligible to receive benefits.

The directory is arranged in alphabetical order by city or town. Probation officers who are interested in obtaining a copy of this free directory may write to:

The Hispanic-Portugese Program
Mass. Dept. of Public Welfare
600 Washington Street
Boston, MA 02111
(617-727-8270)

COMMISSIONER AMENDS SURRENDER GUIDELINES

A recent memorandum issued to all justices and chief probation officers by the Commissioner amended the "Guidelines Regarding Surrender and Revocation of Probation" (Massachusetts Probation Manual IIA-8-73) as follows:

Paragraph 5G is deleted and the following substituted therefor:

5G When there is a subsequent criminal complaint against the probationer, the record of a guilty finding thereon in the same court or a certified copy thereof from another court shall be admissible in any probation revocation hearing, preliminary or final. The fact that the conviction is appealed to a higher court for a trial de novo or is awaiting appellate review does not prevent it from forming the basis for the revocation of probation.
See also Commissioner of Probation's Standards issued July 15, 1973 (Massachusetts Probation Manual IIA-7-71).

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SUFFOLK COUNTY JUVENILES MUST APPEAL TO BOSTON JUVENILE COURT

Probation officers responsible for supervising juvenile cases in Suffolk County are reminded that until December 31, 1977, children found delinquent in district courts in Suffolk County or in Boston Juvenile Court are precluded from appealing to the Superior Court and may only appeal to the Boston Juvenile Court.
(G.L., Ch 262)

CHANGE OF PERSONNEL

DESIGNATIONS AS CHIEF PROBATION OFFICER

John A. Allen, Acting, District Court of Holyoke, effective February 1, 1977.

John J. Carroll, Fourth District Court of Bristol, Attleboro, effective December 15, 1976.

Thomas G. Cavanaugh, Acting, District Court of Southern Norfolk, Stoughton, effective June 5, 1976.

George L. Woods, Acting, District Court of Western Norfolk, Wrentham, effective October 25, 1976.

DESIGNATIONS AS ASSISTANT CHIEF PROBATION OFFICER

Thomas A. Cummings, Fourth District Court of Plymouth, Wareham effective September 27, 1976, a former probation officer for the Plymouth Juvenile District.

M. Regina Gibbons, Municipal Court of the South Boston District, effective November 17, 1976.

William T. McAndrew, Acting, First District Court of Bristol, Taunton, effective November 22, 1976, a former probation officer for the Probate Court for Suffolk County.

Thomas J. Mitchell, Acting, District Court of Northern Norfolk, Dedham effective November 15, 1976.

Donald W. Stevens, Municipal Court of the Brighton District, effective January 5, 1977.

Ciriaco Tordiglione, East Boston District Court, effective September 8, 1976.

PERMANENT APPOINTMENTS

Monte G. Basbas, Jr., 151 Peakham Road, Sudbury, First District Court of Northern Worcester, Gardner, effective January 3, 1977, a graduate of Nichols College.

Marcial Bones, District Court of Holyoke, effective February 1, 1977.

Donald R. Bradford, District Court of Franklin, Greenfield, effective January 1, 1977.

George E. Delaney, Middlesex Superior Court, effective December 1, 1976.

Wayne G. Fall, Central District Court of Northern Essex, Haverhill, effective March 9, 1977.

Nicholas D. Finke, Probate Court for the County of Middlesex, Cambridge, effective March 8, 1976.

Paula Fitzsimmons, District Court of Southern Norfolk, Stoughton, effective December 4, 1976.

Robert E. Flaherty, District Court of East Norfolk, Quincy, effective January 1, 1977.

PERSONNEL cont. on p. 6

PERSONNEL cont. from p. 5

Robert D. Glunts, Probate Court for the County of Middlesex, Cambridge, effective March 8, 1976.

Shirley LaPrade, First District Court of Southern Worcester, Dudley, effective January 7, 1977.

John F. McLaughlin, Probate Court for the County of Middlesex, effective April 1, 1977.

Diana O'Dell, District Court of East Norfolk, Quincy, effective November 1, 1976.

Lloyd Parham, Jr., Municipal Court of the Dorchester District, effective December 15, 1976.

A. Ross Pini, District Court of Western Norfolk, Wrentham, effective November 29, 1976.

Annmarie E. Rockwell, Boston Juvenile Court, effective December 29, 1976.

Marjorie A. Van, Municipal Court of the Brighton District, effective January 26, 1977.

Denyse Claiborne Williams, Probate Court for Suffolk County, effective August 18, 1976, a former probation officer for the Superior Court for Suffolk County.

TEMPORARY APPOINTMENTS

Kevin P. Creedon, 36 Kingman Avenue, Brockton, First District Court of Bristol, Taunton, effective November 1, 1976, a graduate of Boston State College.

Brian J. Feeney, 23 Charles Street, Northampton, District Court of Hampshire, Northampton, effective November 8, 1976, a graduate of Boston College.

Thomas E. Gadles, 100 Franklin Street, Whitman, Second District Court of Plymouth, Hingham, effective October 4, 1976, a graduate of Stonehill College.

Edward J. Galotti, 80 Clark Street, Belmont, District Court of Natick, effective January 6, 1977, a graduate of Boston College.

Andrew L. Gassman, 18 Lakeshore Court, Brighton, District Court of Western Norfolk, Wrentham, effective November 29, 1976, a graduate of the University of Vermont.

Muriel B. Goldberg, 1000 Loring Avenue, Salem, First District Court of Essex, Salem, effective March 1, 1977, a graduate of Simmons College.

Marie Griffin, 6 Weyanoke Street, Dorchester, Municipal Court of the City of Boston, effective January 19, 1977, a graduate of Northeastern University.

Terell J. Kiley, 29 Cottage Street, Plainville, Fourth District Court of Bristol, Attleboro, effective January 10, 1977, a graduate of Bridgewater State College.

Rita F. McCarthy, 67 G Street, South Boston, District Court of Northern Norfolk, Dedham, effective November 15, 1976, a graduate of Boston State College.

PERSONNEL cont. on p. 11

CHSB ISSUES REVISED CORI GUIDELINES

In January, 1977, the Criminal History Systems Board (CHSB) issued a revised list of agencies certified to receive criminal offender record information from probation offices. The old list of 241 agencies which has been published from time to time in Massachusetts Probation is no longer valid for use by probation offices and should be destroyed. With the publication of the revised list, probation offices are authorized to issue record information only to the certified criminal justice agencies listed below.

Certified Criminal Justice Agencies
January, 1977

State and Local Agencies

Attorney General, Department of
Bail Commissioners
Capitol Police
City Marshalls for Newburyport and Salem
Committee on Criminal Justice
Corporations and Taxations, Department of, Bureau of Special Investigations
Correction, Department of
Courts--
District and Municipal courts, the Superior Court, including the criminal clerks, the Appeals Court, the Supreme Judicial Court; Boston Housing Court; Juvenile Courts; Probate courts.
Criminal History Systems Board
Criminal History Systems Board Advisory Committee
District Attorneys' Offices
Governor of the Commonwealth and his Chief Legal Counsel
Insurance Division, Special Investigations Unit
Labor and Industries Department, Office of General Counsel
Mass. Bay Transportation Authority Police
Mass. Defenders Committee
Masters in Chancery
Mental Health, Department of, Division of Legal Medicine
Metropolitan District Commission Police
Municipal Police of all Mass cities and towns
Natural Resources, Law Enforcement Division
Pardons and Commutations Advisory Board of
Parole Board
Penal Institutions Department, City of Boston
Plymouth County Bureau of Criminal Investigation
Probation, Office of the Commissioner and local Probation officers
Registry of Motor Vehicles
Roxbury Defenders Committee
Security and Privacy Council
Sheriffs' departments of each county
Special Police who are certified by the State Police
Special prosecutors hired by cities and towns
State Police
Welfare Auditing, Bureau of, Executive Office of Administration and Finance
Youth Services, Department of

Federal Agencies

Agriculture Department, Office of Investigation
Courts--
U.S. District Courts, Courts of Appeal, Supreme Court, U. S. Probation officers, and U.S. Court Clerks
Customs Service
Federal Aviation Administration, Air Transportation Security Division, New England Regional Office
General Services Administration, Federal Protective Service
General Services Administration Office of Investigations
Health, Education, and Welfare, Office of Inspector General, Office of Investigations
Housing and Urban Development, Office of Inspector General for Investigations, Regional Office in Boston and Central Office

CORI GUIDELINES cont. on p. 8

CORI GUIDELINES cont. from p. 7

Interior Department, Fish and Wildlife Service, Law Enforcement Division (Boston office) where the request is made over the signature of the Special Agent in Charge or the person acting in his capacity
Interior Department, U.S. Park Police
Internal Revenue Service
Justice Department, U.S. Attorney's offices
Justice Department, Bureau of Federal Prisons
Justice Department, Drug Enforcement Administration
Justice Department, Federal Bureau of Investigation
Justice Department, Immigration and Naturalization Service
Justice Department, U.S. Marshalls
Justice Department, Organized Crime and Racketeering Section
Justice Department, Parole Commission
Postal Inspection Service
State Department, Office of Security
Treasury Department, Alcohol, Tobacco, and Firearms Bureau
Treasury Department, Secret Service
Veterans Administration Hospital at Brockton, Hospital Police Section

Military

U.S. Air Force, Office of Special Investigations
U.S. Air Force, 3245th Security Police Squadron of Lawrence G. Hanscom Field Air Force Base
U.S. Army, Criminal Investigation Command (Fort Devens office)
U.S. Army, Intelligence
U.S. Army, Military Police at Fort Devens
U.S. Coast Guard, Intelligence and Law Enforcement Branch, (Boston office)
U.S. Navy, Naval Investigative Service (New York office)
U.S. Navy, Naval Intelligence

Out of State

Municipal, county, regional and state police agencies from other states and territories of the U.S.
Municipal, county, regional and state courts having criminal jurisdiction from other states and territories of the U.S.
Municipal, county, regional and state prosecutorial and defense agencies from other states and territories of the U.S.
Municipal, county, regional and state correctional authorities, including probation and parole, from other states and territories of the U.S.
National Parole Board of Canada
Pennsylvania Liquor Control Board, Enforcement Bureau

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LOCAL TRAINER PROGRAM COMPLETES FIRST PHASE

The Staff Development Unit of the Office of the Commissioner of Probation has completed the first phase of the Local Trainers Program. Sixty-four probation officers designated as Local Trainers took part in the three one-week workshops held in Auburn, Woburn and Brockton. The programs were designed to upgrade the skills of local trainers so that individual courts can begin to incorporate regular training programs at the local level and to provide opportunity for each probation officer to meet the minimum training requirement of 45 training credits every three years.

The second phase of the Local Trainers Program consists of training in Systematic Human Relations Training Skills. There will be two workshops. One starts April 19, 1977 in Worcester and the other begins on April 20 in Concord. Each will run for nine consecutive weeks, one afternoon per week.

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DRIVERS cont. from p. 2

persons.

Unfortunately, the above mentioned evaluation was not available when the federal government embarked on its ASAP programs. It had been widely assumed that all persons who drink to excess are equally likely to be involved in such a serious crash. Alcoholics in particular have been singled out to be identified and gotten off the road until "cured." This campaign reached a feverish pitch when the acting director of the National Highway Safety Bureau appealed to Congress for funds to support the ASAP programs. He is quoted as saying, "While the alcoholic is a sick person, the alcoholic driver is a criminal, and we should no more permit him free and uncontrolled access to the wheel of a car on a public thoroughfare than we would permit a murderer to carry a concealed and loaded revolver."

Now, however, it has been found that not all drunks are equally dangerous. The same studies on which the anti-alcoholic program was based reveal that, although alcoholics as a group are involved in significantly more crashes than the nonalcoholic population, that over-involvement is centered among a minority of alcoholics. Dr Margaret Clay of the University of Michigan studied the hospital, medical, police, and driving records of clinically identified alcoholics and reported "from a total sample of 1,273 chronic alcoholic drivers 7% probably qualify as prime candidates for a traffic safety countermeasures program. The other 1,179, according to their driving records, drive much like the rest of us." Dr Clay continued, "The evidence at least suggests that our index is measuring a potential for risk-taking behavior which may exist in a person independently of his use of alcohol and which manifests itself as aggressive irresponsibility. Such people may frequently use their cars as weapons rather than as means of transportation. The role of alcohol with such a person may simply be to more readily allow expression of that potential. If our speculation istrue, then the high-risk drinking driver may be a very different kind of problem than we thought, and the countermeasures needed to change or control this pathology may be different than those we're currently using."

Drs. Berthold Brenner and Melvin Selzer put it this way: "A study of disturbing events as a factor in accidents, and of alcoholism as a factor in disturbing events, is needed not only to explore where certain types of disturbing events provide one of the mechanisms whereby alcoholism can increase accident risk, but also to determine whether the estimated effect of alcoholism on accident risk is inflated by the effect of disturbing events which are more frequent among alcoholics but which cannot be said to be caused by alcoholism."

Drs. Donald Pelz and Stanley Schuman of the University of Michigan interviewed and studied the records of 1,700 young men and found that it wasn't necessarily young males who drink who were involved in more accidents, nor was it true that those who drank heavily were involved in significantly more accidents, but those who drank heavily and were alienated, hostile, and aggressive. Conversely, if those characteristics were missing they were not overly involved in accidents.

These findings are supported by Shaffer and his colleagues at Johns Hopkins University who compared the char-

DRIVERS cont. to p. 10

DRIVERS cont. from p. 9

acteristics of 50 males killed in auto crashes with a normative population. They found that, although the majority of those killed had been drinking before the fatal crash, social obstreperousness (belligerence, negativism, verbal expansiveness, hyperactivity, and general psychopathology) was a stronger predictor of fatal crash involvement than either the use of alcohol or age.

The Way To Go

The evidence suggests that more research emphasis should be placed on the dissimilarities between drivers convicted of DWI and those who are killed with high BACs. Continued emphasis on the similarities between those groups will only serve to perpetuate present policies, whereas emphasis on the dissimilarities may provide clues as to why present policies on DWI enforcement are not working.

One thing is certain; not all heavy drinkers are high risk drivers, but drinkers who are also alienated, hostile, and aggressive or experiencing some transient traumatic life event are. In other words, it is not alcohol, per se, that creates high risk drivers, but alcohol in addition to other characteristics or conditions. It is also noteworthy that those other characteristics or conditions lead to high risk driving with or without alcohol. This suggests that, rather than alcohol causing the aberrant behavior, the misuse of alcohol may be one manifestation of a larger pattern of deviant behavior.

This raises the question as to what new approaches might be used by the police and the courts. For starters, it suggests that those who are arrested for DWI after high speed chases and/or those who are obnoxious, argumentative, and fighting when arrested be treated differently from the majority of DWIs who are polite, cooperative, docile, and come to the attention of police by gentle weaving on the road or who were involved in minor collisions.

This also suggests that in those jurisdictions where a court-oriented rehab program is in operation or contemplated, special attention be given to the 5 to 20% of convicted DWIs who elect not to take the course or, once having agreed to take it, fail to complete it satisfactorily. This suggestion is based on the premise that those antisocial characteristics most likely to be found in serious and fatal crashes would be similar to characteristics that would lead them to shun society's efforts to rehabilitate them.

Only when it is recognized that such differences among drinkers exist and that it is not alcohol alone that leads to crash involvement, will the DWI enforcement program begin to have an impact.

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of

TRIAL MAGAZINE
October 1976

Richard Zylman is an
Associate Research
Professor
at the
Center of
Alcohol Studies
at
Rutgers University

PERSONNEL cont. from p. 6

William J. Moynihan, 734 Main Street, Haverhill, Central District Court of Northern Essex, Haverhill, effective December 1, 1976, a graduate of Boston State College.

Lawrence M. Oliviera, 376 Palmer Street, Fall River, Bristol County Juvenile Court, effective December 1, 1976, a graduate of Southeastern Massachusetts University.

David J. Ponte, 23 Magnolia Avenue, Fairhaven, Bristol County Juvenile Court, effective January 3, 1977, a graduate of Roger Williams College.

Henry Scagnoli, 27 Houston Street, Boston, Municipal Court of the Roxbury District, effective November 15, 1976, a graduate of Rensselaer Polytechnical Institute.

John L. Sullivan, 67 Linda Avenue, Framingham, District Court of Newton, effective September 28, 1976, a graduate of Christian Brothers College.

Joseph R. Tarby, III, 3A Winn Park, Woburn, Probate Court for Middlesex County, Cambridge, effective January 24, 1977, a graduate of Boston University.

Ronald F. Weafer, 58 Lothrop Road, Reading, Fourth District Court of Eastern Middlesex, Woburn, effective January 1, 1977, a graduate of Boston College.

Samuel D. Yanka, 123 Chestnut Street, Southbridge, First District Court of Southern Worcester, Dudley, effective November 15, 1976, a graduate of the University of South Florida.

RESIGNED

Richard J. Dwyer, District Court of Southern Norfolk, Stoughton, effective December 4, 1976.

Peter A. Hoffman, Boston Municipal Court, effective February 15, 1977.

John J. McGlynn, Jr., Boston Juvenile Court, effective December 7, 1976.

Laura Nastasi, Probate Court for Suffolk County, effective February 11, 1977.

RETURNED FROM LEAVE

Jane M. Nagle, District Court of Peabody, effective December 1, 1976.

RETIRED

Marian O'Donnell, Municipal Court of the Brighton District, effective December 31, 1976. Ms. O'Donnell entered the probation service in 1940.

CORRECTION

In its December, 1976 issue, Massachusetts Probation incorrectly stated that James F. King, probation officer for the Probate Court for Worcester County, was a graduate of Westfield State College. Mr. King is a graduate of Boston College.

MASS. J.U.3 .Vol. 12/No.2

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MASSACHUSETTS PROBATION

BULLETIN FROM THE OFFICE OF THE COMMISSIONER OF PROBATION

Volume 12 Number 2 July 1977

TASK FORCE STUDIES COX COMMITTEE REPORT

A Probation Service Task Force, consisting of Deputy Commissioners Joseph P. Foley, Chairman, Angelo R. Musto and Sidney Barr, Supervisors William R. MacGregor and Richard J. Villa, Associate Planner William Dow, Supervisor John F. Feeney, Assistant Supervisor Edward J. Leary, Superior Court Probation Service, Chief Probation Officers John W. Belyea, Robert B. Clifford, Anthony J. DiNatale, Delbert A. Greenwood, Manuel Moutinho, George R. Skelly, Joseph M. Souza and Marie R. Williams, was activated in February, 1977 to study the role of the Office of the Commissioner of Probation and the Probation Service in the implementation of the recommendations of the Select Committee on Judicial Needs (Cox Committee Report), as incorporated in House Bill 4400 now before the Massachusetts Legislature. A report was issued by the Probation Service Task Force on May 15, 1977. Following is the text of that report:

The Select Committee on Judicial Needs has presented excellent recommendations for the improvement of delivery of service in the Judicial Branch of Massachusetts State Government.

The Probation Service Task Force, representing the Office of the Commissioner of Probation and certain select Supervisory Probation Officers from Superior, Probate, District and Juvenile Courts, however, has concern that House Bill 4400 provides little statutory direction concerning the Probation Service other than the establishment of ultimate power in all areas of Probation in the Chief Justice of the Supreme Judicial Court. Certainly the development of probation policies at levels below the Supreme Judicial Court Chief Justice should be provided for, so that his authority is one of review and approval or disapproval, rather than initiation.

The Annual Report of the Chief Justice of the Supreme Judicial Court, dated March 8, 1977, in Summary of Part 1, "The Report of the Committee on Judicial Needs" states, "Checks and balances should be inserted to insure that no person has sole authority to make important and final administrative decisions."

The Probation Service Task Force feels this is a most opportune time to set forth its principles

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Editor: Michael Hutner

Assistant Editor: Ann Cronin

The bulletin is published quarterly for the information of the Probation Service, the Judiciary, and the interested public. Correspondence should be sent to: Editor, Room 206, New Court House, Boston, MA 02108.

Publication Number: 6351

Approved by Alfred C. Holland
State Purchasing Agent

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and positions concerning the operation of the Massachusetts Probation Service. Formal Probation in Massachusetts is completing its first century, having commenced with the enactment of an 1878 statute authorizing the appointment of a probation officer for the Suffolk County Courts. The Massachusetts Probation Service has grown dramatically in the past fifteen years, now totaling over 800 officers in the Superior and the various Probate, District and Juvenile Courts. This is not the same Probation Service as functioned over twenty years ago when the very limited powers and responsibilities of the Commissioner of Probation were enacted in General Laws Chapter 276, Section 99 (Chapter 731 of 1956).

Commissioner of Probation

The growth, the multiplicity of service and the increasing complexity of the Massachusetts Probation Service make it imperative that there be a strengthening of both authority and responsibility in the Office of the Commissioner of Probation. The Commissioner, subject to the review of the Supreme Judicial Court Chief Justice, should exercise executive control and supervision of the Probation Service and should have clearly defined responsibility and authority in the following areas:

1. Establishing certain reports and forms to be maintained in various probation offices.
2. Establishing certain procedures to be carried out in various probation offices.
3. Establishing standards and basic policies of probation work to be followed in various probation offices.
4. Enforcing requirements as to reports, procedures and standards to be maintained or followed in various probation offices.
5. Certifying persons eligible for appointment as probation officers; certifying persons eligible for promotion to various supervising probation officer positions.
6. Establishing standards for evaluation of line and supervising probation officers.
7. The authority to transfer a probation officer position from one court to another subject to the approval of the Chief Justice of the tier court, no salaries or grades of existing probation personnel to be adversely affected by such a transfer.
8. Investigating and reporting on all requests for discipline of probation officers received from a Justice, Supervisor or a Chief Probation Officer; and where appropriate, initiating disciplinary action against a probation officer.
9. Maintaining personnel and fiscal records of probation officers.
10. Establishing criteria and procedures concerning the use of volunteers as deputy probation officers and aides.
11. Conducting surveys and certifying probation offices.
12. Appointing such Deputy Commissioners of Probation as authorized by law and also such Supervisors, Directors and others necessary to carry out the duties and responsibilities of the Commissioner's office.

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COMMISSIONER OF PROBATION FOR MASSACHUSETTS

Commissioner Sands, whose retirement was effective June 27, 1977, has been reappointed for a period of ninety days to allow for a search for a new full-time Commissioner of Probation. Statutory salary limit: $31,000. A search committee, members listed below, has been appointed by the Committee on Probation. Michael Evans is staff secretary to the committee.

Requirements:

Master's Degree
No less than 10 years in probation, corrections, parole, or other criminal justice or related human services, at least three of which must have been in an administrative capacity.

Examples of Duties:

Administration of probation work in the 103 probation departments of the Commonwealth.

Establishment of standards for probation operations.

Maintenance of probation central record file and performing related tasks including administration of the record sealing statute and the adult and juvenile interstate compacts.

Coordination, supervision, and hiring of senior level staff.

Development of state wide training opportunities for the probation service.

Gathering of statistics relating to criminal record offender information and local operations management.

Participation on interagency committees and boards.

Preparation of legislation relating to probation.

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Committee on Probation

The Committee on Probation, consisting of the Chief Justices of the tiers of various Courts having probation officers and two appointees of the Supreme Judicial Court Chief Justice, should be the judicial body advising the Commissioner of Probation and recommending principles and action concerning the Probation Service to the Chief Justice of the Supreme Judicial Court. It should have responsibility in the following areas:

1. Establishing qualifications for and appointing the Commissioner of Probation.
2. Acting in an advisory capacity to the Commissioner in the development of probation policies.
3. Acting as an appellate body in disciplinary actions against probation officers.

Probation Officers

The Probation Service received brief mention in both the Report of the Select Committee on Judicial Needs (Cox Committee) and House Bill 4400. All legislation concerning probation officer qualifications, appointment, job position structures, salaries, and other related matters has been eliminated in the House 4400 proposal.

The Cox Committee stated clearly that its purpose was to allow the Chief Justice of the Supreme Judicial Court the ultimate power in these matters affecting the Probation Service. The Task Force affirms the following propositions concerning probation officers:

1. Probation officers are professional people providing investigation, counseling, mediation, evaluation, recommendation, supervision and resource referral services to the Court and parties before the Court.
2. The Commissioner of Probation should establish certain grades of probation officer (such as Intern Probation Officer, Probation Officer, Senior Probation Officer) and certain grades of supervising probation officer (such as Assistant Chief Probation Officer, Chief Probation Officer and Supervisor) and should establish qualifications for all such grades.
3. The Commissioner of Probation should establish and implement procedures necessary to determine eligibility of applicants for appointment or promotions in the Probation Service.
4. To encourage a more open and competitive process for the appointment and promotion of probation officers, the following alternatives are proposed:
   a) The Chief Justice of the tier court (or his designee(s)) shall appoint and promote probation officers after a review and comment by the Presiding Judge, the Commissioner of Probation, the Chief Probation Officer, and the Supervisor, from lists of eligible and qualified candidates who apply or whose names are submitted to the Office of the Commissioner.
   b) The Commissioner of Probation shall screen all applicants for probation officer appointment and promotions from lists of eligible and qualified candidates who apply or whose names

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TWOMEY RETIRES FROM OCP

Cornelius J. Twomey, Supervisor of Court Probation Services in the Office of the Commissioner of Probation will retire to private life on August 31, 1977, it was announced recently by the Office of the Commissioner.

Mr. Twomey has a long history of public service spanning more than three decades. His public career began when he was elected to the Massachusetts House of Representatives where he served two terms from 1939-1942. In 1949, he was elected to the Governor's Council where, among other duties, he served as chairman of the Pardon Committee. In 1952, he resigned from the Council to accept an appointment from the then Governor Dever as a member of the Massachusetts Parole Board. He was subsequently re-appointed by Governor Furcolo and twice re-appointed by Governor Volpe. In all, Mr. Twomey served twenty years as a member of the Parole Board, 1952-1972, eight of them as its chairman, from 1957-1964.

During his years as a Parole Board member, Mr. Twomey saw many changes in the rules and regulations governing the paroling of inmates from the state's penal institutions. It was during his tenure, the longest ever for a member of the Board, that an annual review of cases was instituted. Prior to that time, an offender served his maximum or minimum sentence or was paroled on a designated eligible date. It was also during Mr. Twomey's tenure that the Parole Board assumed responsibility for the paroling of House of Correction inmates who were serving sentences of more than one year. Previously, this had been done by the county commissioners.

In 1972, he was appointed by Commissioner C. Eliot Sands as Supervisor of Court Probation Services in the Office of the Commissioner, the position which he holds at the present time. In this capacity, he is responsible, in part, for the monitoring of services delivered to probation clients by the various courts.

Twomey has no definite plans for the future. Right now, he intends to "do a little traveling and play a little golf" after his return to private life. For a person of Twomey's energy and capabilities, that sounds like a wonderful vacation.

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STAFF DEVELOPMENT REPORT

Since March 1 the Staff Development Unit of the Office of the Commissioner of Probation has sponsored a variety of training programs for probation officers. Forty-eight new Probation Officers have gone through two, eight-day Orientation Training Programs. The Juvenile Probation Training Committee worked in conjunction with the Staff Development Unit in planning, implementing and evaluating four workshops dealing with Adolescent Sexuality. The Superior Court Probation Staff Development Committee also worked with the Staff Development Unit in offering a specialized workshop for Superior Court

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are submitted to the Office of the Commissioner. The Commissioner shall certify and submit no less than five names from such list to the Court making such request for appointments or promotion. The Justice(s) and the Chief Probation Officer of the requesting court shall join in such appointment or promotion from the eligible list in accordance with this procedure. Appointments and promotions shall be subject to the approval of the Chief Justice of the tier court.

5. Requests for discipline of a probation officer, including reprimand, fine, suspension, demotion or discharge may be made by a Justice or Chief Probation Officer to the Commissioner of Probation who shall cause an investigation to be made and a report, with recommendations, to be written. Copies of the report and recommendations shall be furnished to the Justice, Chief Probation Officer and the probation officer cited. If either the complainant or the probation officer cited declines to accept the recommendations of the Commissioner as the order of disposition, the matter shall be set up for a full hearing and disposition by the Committee on Probation, subject to any review procedure established by the Chief Justice of the Supreme Judicial Court. The Commissioner of Probation may also cite a probation officer for disciplinary action, shall give him notice of the charge(s) and a hearing on same and shall make an order of disposition. The probation officer cited may decline to accept the Commissioner's disposition order, at which time the matter, likewise, shall be set up for a full hearing and disposition by the Committee on Probation.
6. The process for the training of newly appointed probation officers and the ongoing training for line and supervising probation officers should be established by the Commissioner of Probation.
7. Vacation and sick leave provisions for probation officers should be established by the Commissioner of Probation subject to approval of the Chief Justice of the Supreme Judicial Court.
8. The Salaries of the various line and supervising probation officers should be maintained at levels reflecting the professional status and responsibilities of these officers in the judicial system. The salary schedule should incorporate an "educational incentive pay plan" in order to encourage additional professional knowledge and competence. Moreover, consideration should be given to a "longevity incentive pay" increase for probation officers after a number of years on the job.

Summary

The Select Committee on Judicial Needs in its section on "The Causes of Delay and Waste" states:

> "A sharp distinction must be made between the trial and decision of cases and the management of judicial business.

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CHANGE OF PERSONNEL

DESIGNATIONS AS CHIEF PROBATION OFFICER

John J. Fleming, Acting, Middlesex Superior Court, effective April 12, 1977.

Andrew R. Klein, 117 Amory Street, Cambridge, District Court of East Norfolk, Quincy, effective May 21, 1977, a graduate of Harvard College with an M.A. from Northeastern University and a former project director for the Quincy District Court.

Edward J. Lee, Second District Court of Southern Worcester, Uxbridge, effective February 14, 1977.

James W. Mulford, First District Court of Northern Middlesex, Ayer, effective April 1, 1977.

Daniel P. Toomey, Acting, Superior Court for Suffolk County, effective May 31, 1977.

George L. Woods, District Court of Western Norfolk, Wrentham, effective April 25, 1977.

DESIGNATIONS AS ASSISTANT CHIEF PROBATION OFFICER

Luis Duran, Municipal Court for the Roxbury District, effective April 1, 1977.

James H. Kazeniac, First District Court of Northern Middlesex, Ayer, effective April 1, 1977.

Joan (Anton) Rahavy, Probate Court for Middlesex County, effective May 1, 1977.

PERMANENT APPOINTMENTS

Laura R. Alfieri, Suffolk Superior Court, effective March 22, 1977.

Harvey Calichman, District Court of Peabody, Northampton, effective June 18, 1977.

Michael J. Dubuc, District Court of Hampshire, Northampton, effective June 18, 1977.

Andrew Gassman, District Court of Western Norfolk, Wrentham, effective June 15, 1977.

Kevin J. Hoar, Probate Court for the County of Hampden, Springfield, effective March 7, 1977.

Marianne Kelly, East Boston District Court, effective February 22, 1977.

Richard Malynn, Essex Juvenile District, effective April 25, 1977.

William P. Nagle, Jr., First District Court of Barnstable, Barnstable, effective April 7, 1977.

Francis J. Pedersen, Municipal Court for the South Boston District, effective April 27, 1977.

John G. Rubeski, Superior Court for Essex County, effective April 12, 1977.

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Personnel cont. from p. 7

Frank Siano, Superior Court for Hampshire and Franklin Counties, effective April 1, 1977.

John L. Sullivan, District Court of Newton, effective April 4, 1977.

Joseph J. Underwood, Jr., Municipal Court of the Roxbury District, effective April 20, 1977.

William J. Winn, District Court of Lowell, effective March 20, 1977.

William F. Woldman, District Court of East Norfolk, Quincy, effective March 23, 1977, formerly a probation officer in the Municipal Court of the City of Boston.

Samuel Yanka, First District Court of Southern Worcester, Dudley, effective May 15, 1977.

TEMPORARY APPOINTMENTS

John K. Cahill, 89 Elmwood Park, Quincy, Boston Municipal Court, effective April 13, 1977, a graduate of Boston College and a former director of operations for the Court Resource Program.

Paul J. Chebator, 20 Harris Road, Medford, Second District Court of Barnstable, Orleans, effective May 2, 1977, a graduate of the University of Massachusetts.

Joseph K. Kattar, Jr., 142 Osgood Street, Andover, District Court of Lawrence, effective April 1, 1977, a graduate of St. John's University.

Norbert F. Leary, Jr., 24 Kilburn Street, Revere, Boston Municipal Court, effective February 16, 1977, a graduate of American Technological University

Jean McInerney, 986 Main Street, Haverhill, Essex Juvenile District, effective June 1, 1977, a graduate of Lowell State College with an M.Ed. from Boston University.

William Moynihan, 734 Main Street, Haverhill, Central District Court of Northern Essex, Haverhill, effective December 1, 1976, a graduate of Boston College.

Judith A. O'Leary, 67 Pine Street Wakefield, Probate Court for the County of Suffolk, effective March 21, 1977, a graduate of Salem State College.

Mary F. Prior, 1190 Charles Street, North Providence, Rhode Island, Probate Court for the County of Suffolk, effective April 4, 1977, a graduate of Catherine Spalding College, Louisville, Kentucky, with an M.A. from the same school.

Timothy F. Sullivan, 41 Howard Street, Norwood, Municipal Court of the Dorchester District, effective April 27, 1977, a graduate of Boston State College.

Frederick R. Wilkey, Jr., 585 Chelmsford Street, Lowell, First District Court of Northern Middlesex, Ayer, effective April 1, 1977, a graduate of New Hampshire College.

LEAVE OF ABSENCE

Francis J. Coughlin, Municipal Court for the Dorchester District, effective April 4, 1977, for one year.

Michael J. Coyne, Municipal Court for the Dorchester District, effective May 10, 1977, for one year.

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Personnel cont. from p. 8

Laurellen Foster, Essex Juvenile District, effective April 18, 1977 for one year.

Nicholas J. Ricciuti, Middlesex Juvenile District, effective April 1, 1977 for six months.

RESIGNED

A. Gerard Beauchamp, Essex Juvenile District, effective April 24, 1977.

C. Ryan Buckley, District Court of Lawrence, effective March 1, 1977.

Margaret Gustavis, Northampton District Court, effective June 4, 1977.

James H. Norton, Jr., Municipal Court of the Roxbury District, effective April 5, 1977.

Robert E. Triulzi, Central District Court of Northern Essex, Haverhill, effective April 30, 1977.

RETIRED

John J. O'Connor, Chief Probation Officer, Superior Court for Suffolk County, effective May 31, 1977. Mr. O'Connor entered the probation service in 1935.

James J. O'Malley, Chief Probation Officer for the First District Court of Northern Middlesex, Ayer, effective March 31, 1977. Mr. O'Malley entered the probation service in 1955.

Robert J. Verge, Chief Probation Officer for the District Court of East Norfolk, Quincy, effective May 21, 1977. Mr. Verge entered the probation service in 1934.

DECEASED

Daniel F. Loughry, Chief Probation Officer for the Middlesex Superior Court on April 12, 1977. Mr. Loughry entered the probation service in 1948.

CORRECTION

In the April, 1977 issue of Massachusetts Probation, it was incorrectly stated that Denyse Williams had been appointed a probation officer for the Probate Court for Suffolk County. Ms. Williams was appointed a probation officer for the Superior Court for Suffolk County on March 22, 1976 and remains in that position.

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Staff Development cont. from p. 5

Probation Officers dealing with the Sexually Dangerous Persons. Twenty-five Local Trainers have completed a nine-week training program in Systematic Human Relations Training Skills.

In addition, the following Local Trainers have set up a number of successful training programs in their local courts that have helped to improve the job performance of the staff in special areas: Al Pizzi, Wrentham District, in the area of Community Resources; Pat Griffin, Fitchburg District Court in the areas of drugs and case management; Tony Sicuso and Charlie Ashe at Middlesex Juvenile Probation District have offered a program on Probation Revocation Procedures John Campbell at Brockton District Court held a special Law Day program; For these local programs, the Office of the Commissioner of Probation has awarded training credits that help meet the 45 training credit requirement for probation officers.

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> In rendering decisions each judge and jury must be free of external controls, subject only to their own good consciences in conforming to law. In managing resources and the general flow of business, however, the need is not for the independence of the individual judge; the need is for the same kind of overall executive management that every large scale undertaking requires. Only overall direction, matching total resources to total demand, will avoid waste and secure the expeditious and economical conduct of business. Only overall management permits adequate planning. Only by improved and co-ordinated administration through the judicial system can the uniformity of records, practices and personnel policy necessary to efficient administration be achieved. The responsibility for expediting case flow must be fixed."

Twenty years have passed since Chapter 731 of 1956 following the Wessel Report, mandated qualifications for probation personnel, salaries and organizational changes within the Office of the Commissioner of Probation. Over that period the service has grown from 185 to 822 probation officers. Unfortunately, the central administration has not been provided the statutory support needed to cope with this growth.

The Probation Service Task Force confidently asserts that its principles and proposals as outlined in this paper will provide a strong, unified, efficient Probation Service with authority, responsibility and accountability for this important segment of the judicial services operation placed squarely on its Commissioner of Probation, with necessary "checks and balances" on his policies and action by the review and overruling power of the Supreme Judicial Court Chief Justice. Again, this can be an area where "checks and balances" might originate with the tier court Chief Justices, assisted by the recommendations of their administrative committees, but subject to final approval by the Chief Justice of the Supreme Court.

This Task Force agrees most firmly that the Probation Service best serves the Courts and the parties before the Court as a segment of the judicial branch. In this paper the Task Force has addressed itself only to the probation operation and its conclusions as to how best such a probation operation can function with effective management.

We are grateful to the Cox Commission for having the courage to focus attention on the need to improve the organization and administration of the Judicial System. It is our hope that together we can work toward the major goal:.....to develop and implement standards, procedures and policies that will strengthen and improve the Probation Service and make it an all important element in the administration of the Judicial System.

The public has a right to expect this and deserves nothing less.

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Comm. of Probation cont. from p. 3

Screening Committee

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How to Apply: Send Resume to:
Search Committee for a Massachusetts
Commissioner of Probation
209 Essex Street
Salem, MASS 01970

PROBATION CHIEF SANDS REVIEWS CAREER

Below is an interview by Michael Evans, staff secretary for the Search Committee, who interviewed Mr. Sands recently incidental to the national search for a successor to the Commissioner.

At the conclusion of a 37 year career in the Massachusetts Probation Service, Commissioner C. Eliot Sands says that "being a probation officer is one of the finest jobs a person could have."

Commissioner Sands will retire later this year, after a successor is selected by the Committee on Probation, which oversees the operation of the probation service. When Sands retires, he will leave a mark of service which includes work in the field as a probation officer, assistant chief probation officer, and chief probation officer in the Boston Juvenile Court where he assisted the late Judges John Forbes Perkins and John T. Connelly in establishing that court's Citizenship Training Department, and at the administrative level as Deputy Commissioner, and as State Commissioner since 1965.

In a recent interview, Commissioner Sands spoke of the changes that have come about during his years in the department. "The philosophy of probation service has not changed," he stated, "but improved resources, such as a fourfold increase in the number of officers, have made the probation department more able to perform the services it was formerly supposed to do, but was actually able to perform in only a small number of cases. Previously, a number of courts, with substantial caseloads, were served by a single, half-time probation officer, and very little investigation or supervision was possible." Sands also pointed out that today's probation officer is better trained than his counterpart ten years ago, noting that "the massive infusion of Law Enforcement Assistance Administration funds, within the past decade, has enabled us to provide a more thorough orientation, in-service and specialized training program for our personnel."

The Harvard-educated Sands can cite many accomplishments since coming to the office of Probation Commissioner. A single salary scale and uniform job qualifications have been promulgated for all state probation officers, eliminating the wide variations among counties and courts. A loose-leaf annually updated probation manual is in effect, regional coordination of probation office operation has been initiated, and the legislature has enacted record sealing statutes which protect the offender, who has gone straight for 10 and 15 years following completion of sentence for a misdemeanor or felony respectively, from injury through use against him of an old record. The Department is presently involved in the final phase of an innovative "probation office accreditation program" to improve management techniques. And probation officers, who Sands says "must possess a healing personality, and be able to feel the pulse of the community," have recently, beginning in 1973, been handling domestic relations and other problems in the Probate Courts.

Several pressing issues will confront Sands' successor. The proba-

Evans' Interview cont. p. 13

Evans' Interview cont. from p. 12

tion Commissioner presides over a mammoth criminal records file, the central criminal records file of the Commonwealth, which Sands says "must be automated, to increase efficiency, while preserving the privacy of the individual." The question of who will ultimately control the records -- the courts, through the probation service, or the executive branch -- has been a matter of concern. Collective bargaining, extended to probation officers and other employees of the judiciary by recent legislation, is also on the horizon. In addition, as Mr. Sands declares, the new Commissioner must continue to "build and improve probation service, particularly in the still understaffed Probate and Superior Court systems."

The Committee on Probation will select the next Commissioner from a list of names submitted by a special Probation Search Committee chaired by Retired Appellate Court Judge David A. Rose, and made up of individuals with particular interest and expertise in probation and correctional issues. Interested parties can contact the Probation Search Committee at 209 Essex Street, Salem, Massachusetts, 01970.

Eliot Sands is looking forward to "traveling, reading and hanging up my shingle to practice law." He says that the "personal rewards" of his years in the probation service will be lasting. "Some people just seem addicted to trouble," he stated. "But when they get helpful attention, they will always remember you."

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MONEY COLLECTIONS REACH ALL TIME HIGH

Money collections made under order of the court by probation offices of the superior and district courts of the Commonwealth have been increasing steadily since their inception. In 1976, the trend continued with increases in all categories except that of accommodations. A new category showing monies collected as assessments under the DUIL law was added in 1976. During the first year, collections in this area amounted to $1,484,958.62. A comparison of monies collected in 1975 and 1976 is shown below.

1975

Restitution	$ 1,831,315.32
Non-support	4,794,753.68
URESA	
Rec'd from other states	2,483,090.56
Paid to other states	2,309,553.24
Accommodations	1,940,230.63
DUIL Assessments	-
Miscellaneous	2,837,938.92
Total	$ 16,196,882.35

1976

Restitution	$ 2,192,416.20
Non-support	4,592,364.78
URESA	
Rec'd from other states	2,791,880.66
Paid to other states	2,281,255.06
Accommodations	1,722,955.89
DUIL Assessments	1,484,958.62
Miscellaneous	2,978,412.71
Total	$ 18,044,243.92

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MASSACHUSETTS PROBATION

BULLETIN FROM THE OFFICE OF THE COMMISSIONER OF PROBATION

Volume 12 Number 3 September 1977

GOVERNMENT DOCUMENTS COLLECTION OCT UNIVERSITY OF MASSACHUSETTS

SIXTH ANNUAL PROBATION CONFERENCE WILL CONVENE IN OCTOBER

As authorized by General Laws, Ch. 276, Sec. 99, the Commissioner of Probation is jointly sponsoring with the Governor's Committee on Criminal Justice the sixth annual two-day statewide Conference of Justices and Probation Officers at the Sheraton Inn - Springfield West, Springfield, Tuesday, October 18 and Wednesday, October 19, 1977.

Registration will begin on Tuesday, the 18th at 9:00 a.m. A General Session will open the Conference at 10:00 a.m. followed by several morning workshop sessions scheduled from 10:30 to 12:00 noon. Alan Sisitsky, Senate Chairman,. Committee on the Judiciary, will be the speaker at the General Session.

There will be a luncheon meeting at 12:15 p.m. at which Chief Justice Robert M. Bonin will preside. John M. Rector, Administrator of the Office of Juvenile Justice, Department of Justice, Washington, D.C. will be the principal speaker. Following luncheon the program will resume with afternoon workshops scheduled from 1:45 to 2:45 p.m. At 3:00 p.m, Special sessions will be held and will be announced later. Following the Special sessions which are scheduled to end at 4:30 p.m. guests and particpants will be on their own for the evening.

On Wednesday morning the workshop sessions will run from 10:00 to 11:30 and from 11:30 to 12:45 p.m. followed by a luncheon meeting at 1:00 p.m. Chief Justice Samuel E. Zoll will preside and the guest speaker will be Robert J. Kane, Executive Director of the Massachusetts Committee on Criminal Justice.

This program is made possible by a grant approved by the Governor's Committee on Criminal Justice and funds permit a subsidy allowance to Justices and Probation Officers who desire to remain overnight for the two-day conference. A cordial invitation is extended to Parole Officers and correctional personnel. Unfortunately, subsidies are not available for expenses incurred by them.

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Editor: Michael Hutner

Assistant Editor: Ann Cronin

The bulletin is published quarterly for the information of the Probation Service, the Judiciary, and the interested public. Correspondence should be sent to: Editor, Room 206, New Court House, Boston, MA 02108.

Publication Number: 6351

Approved by Alfred C. Holland
State Purchasing Agent

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CONFERENCE PROGRAM

TUESDAY, OCTOBER 18, 1977

9:00 REGISTRATION

10:00 GENERAL SESSION

Presiding:
Commissioner C. Eliot Sands

Keynote Speaker:
The Hon. Alan D. Sisitsky,
Senator, Hampden and
Berkshire District

10:30 WORKSHOPS

A 1

Enforcement of Support

Michael Edgerton, Executive Secretary, Probate Court

Henry Barr, Administrative Asst. to Chief Justice, Boston Municipal Court

B 1

Comprehensive Employment Training Act (CETA) - Its Relationship to Probation

Catherine Stratton, CETA Director, Commonwealth of Massachusetts

C 1

Recruitment, Hiring, Promotion in Probation

Terry Capshaw, Director, Adult Probation, State of Connecticut

12:15 LUNCHEON

Presiding:
The Hon. Robert M. Bonin
Chief Justice, Massachusetts Superior Court

Speaker:
John M. Rector, Administrator, Office of Juvenile Justice, Dept. of Justice, Washington, D. C.

1:45 WORKSHOPS

A 2

Repeat of A 1

B 2

Repeat of B 1

C 2

Reapeat of C 1

D 2

Special Workshop

Western Massachusetts Women in Criminal Justice, Inc.

3:00 SPECIAL SESSIONS

Superior Court Probation

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FRANCIS G. KEOUGH, JR.

DEPUTY COMMISSIONER OF PROBATION

Francis G. "Lefty" Keough, a Massachusetts deputy commissioner of probation based in Springfield and serving the western part of the state, died on August 18, 1977. He died suddenly, in the prime of life, while he still had much of his talent to give to the probation service and we are the poorer for his passing.

"Lefty" had already given much when he passed on, given to his country, his community and to his profession. When he was mustered out of the Navy after World War II, he joined the fire department in the City of Springfield. In his spare time, he started coaching athletic teams, on a volunteer basis, in the local playground. Here, he made his first contact with the "troubled youth" of the post World War II era, and here was where his interest in helping youth was first aroused, an interest that was to continue until his death. Leaving the fire department in 1957, he worked briefly with the Department of Youth Services before being appointed a probation officer in the Springfield District Court. His work during these first years in the probation service was mainly with juvenile boys under Leonard Bailey. In 1967, when Chief Probation Officer Roger Kelleher retired, "Lefty" was designated his successor.

His tenure as chief of the Springfield District Court Probation Office was marked by many innovations and "firsts." Within the office, he initiated the team concept of probation, a system whereby each client is the beneficiary of the special skills of several probation officers instead of being served on a one-to-one basis. With this concept in operation, "Lefty" began a concomitant effort to improve the services available to his probation teams. Besides becoming a director of Marathon House, a drug rehabilitation drug program, he was a prime supporter of Downeyside, a foster home where young people could find help and guidance. He was instrumental in securing space for Alcoholics Anonymous within the Springfield Court House and established a detoxification center for alcoholics. He initiated a workshop for the parents of young people who had run afoul of the law which was designed to help the parents understand and cope with the problems of their children. Each group of parents attended the workshop for six nights to discuss and try to understand why their children were getting into trouble. Attendance at the workshops ran as high as 300 parents per night.

To cover the increased services and activity, the probation personnel at the Springfield Court was expanded from eight officers in 1967 to seventeen in 1972 when "Lefty" was promoted to supervisor of court probation services in the OCP, responsible for coordinating probation activities in Western Massachusetts and volunteer programs generally. With all of this, he found time to teach classes in criminal justice rehabilitation procedures at Springfield Technical Community College for policemen, social workers and rehabilitation workers and to engage in many other community activities.

In 1974, he was designated a Deputy Commissioner of Probation for Massachusetts, the position he held at his death.

KEOUGH cont. p. 4

KEOUGH cont. fr. p. 3

"Lefty's" accomplishments were many, but when you came right down to it, it wasn't his accomplishments which made the deepest impression upon his profession and his community, but the man himself. There was the loyalty which he inspired among his colleagues, a loyalty which his associate, Joe Faucette, said "he never demanded, but always got." There was his ability to instill in his colleagues the willingness to tackle a difficult job and to get it done, a willingness inspired by the fact that "Lefty" would "never ask you to do something he would not do himself," although he could "chew you out" when the occasion demanded it. There was the fact that he was a great believer in the family institution and that he went out of his way to get to know the families both of his probation officers and his probationers.

There was his empathy with youth, the fact that he "laughed with them when they were happy and bolstered them when they were sad," and the fact that even while officiating at an important college football game, he never forgot the kids and often would leave a college game when it was finished and go immediately to officiate at a sandlot game. There was the fact that he had the same empathy for adult offenders that he had for juvenile offenders and that while in his probation work, he respected "the book," he also dealt with his probationers "by gut feeling with a big heart." Maybe that is why that although the "big brass" such as congressmen, lawyers, the mayor and the commissioner attended his funeral, there were also many of his former probationers, some of them "pretty bad actors." And they all came to pay their respects to "Lefty."

Now that he is gone, how will he be remembered? Joe Faucette, "Lefty's" associate in the Springfield District

KEOUGH cont. p. 12

PROBATE COURT COLLECTIONS INCREASE

The Massachusetts Probate Court through the probation offices or "Family Service Offices" of each of its county probate courts performs an important role in the collection and distribution of monies, both on behalf of litigants in the form of the implementation of court orders and on behalf of the Commonwealth in the form of "refunds" to the Department of Public Welfare (DPW) for monies which the DPW has advanced to dependents of family service clients and which have been collected subsequently from those clients and returned to the DPW. The office of the Chief Judge of the Probate Court reports that during the fiscal year of 1975-1976, a total of $4,890,436.40 was collected in these two categories. During the fiscal year of 1976-1977, the same source reports that total collections increased over sixty percent to a total of $7,892,674.80. The following table shows the amount collected in each category.

PROBATE COURT COLLECTIONS BY PROBATION OFFICES

1975-1976

DPW	$1,861,923.56
Litigants	3,028,512.84
Total	$4,890,436.40

1976-1977

DPW	$2,578,474.39
Litigants	5,314,200.41
Total	$7,892,674.80

****

THE SELECTION OF A SUPERVISOR OF COURT PROBATION SERVICES

In May, 1977, Cornelius J. Twomey informed Commissioner C. Eliot Sands that he was retiring on August 31, 1977 from his position as Supervisor of Court Probation Services in the Office of the Commissioner of Probation. On June 3, 1977, Commissioner Sands prepared and distributed a public announcement of this position vacancy and sent copies to the Massachusetts Probation Service and to the Departments of Correction and Parole. The announcement listed required qualifications in education and experience as well as skills in management, program development and communication. Seventy-four applicants, including 41 from the Probation Service and several from the Departments of Correction, Parole and Youth Services submitted resumes.

A Selection Committee was established by Commissioner Sands, consisting of Deputy Commissioners Angelo R. Musto, Chairman, Joseph P. Foley and Francis G. Keough. The Committee was asked to interview those candidates who, from a review of submitted resumes, appeared to fulfill all or about all of the required skills and qualifications. The Committee then was asked to submit to the Commissioner a list ranking at least five top candidates.

Forty applicants were invited to appear before the Selection Committee for a personal interview. Thirty-seven applicants did appear and were interviewed by the three-member panel. Interviews were conducted at the State Police Academy, Framingham during the period of July 18-21 and July 29, 1977. Each candidate was allowed thirty minutes to: (a) Highlight his knowledge of modern management and administration practices: demonstrate his ability to plan and implement policies, procedures and programs affecting the probation service; and demonstrate his ability in communications, both technical and interpersonal; (b) Make a presentation on a given practical exercise which related to an assignment from the Commissioner's Office to conduct a two-day field survey and to provide technical assistance to a probation office.

All interviewed candidates were rated according to their "skills and experience inventory" and the practical exercise. The three ratings used were "very strong," "strong" and "less than strong."

A list of eleven "very strong" applicants was established. These eleven candidates were then rated in order of preference by the Selection Committee, taking into account the following factors: (a) minority candidate, (b) presently working in the probation service, (c) presently in a managerial probation service position, and (d) possession of certain personal qualities, such as drive, firmness, tact, patience, diplomacy and the ability to work well with colleagues in the service.

The list rating eleven "very strong" candidates was then submitted to the Commissioner who personally interviewed each of them. Gerard F. Brocklesby, Chief Probation Officer of the Middlesex Probate Court, who headed the list of eleven finalists, was the Commissioner's choice for the position of Supervisor of Court Probation Services and he was subsequently appointed to that position. (A profile of Mr. Brocklesby appears on p. 6).

BROCKLESBY IS APPOINTED SUPERVISOR OF COURT PROBATION SERVICES

The Office of the Commissioner of Probation announces the appointment of Mr. Gerard F. Brocklesby of 280 Varnum Avenue, Lowell, Massachusetts, to the position of Supervisor of Court Probation Services. Mr. Brocklesby commenced service with this office on September 1, 1977.

Mr. Brocklesby succeeds Mr. Cornelius J. Twomey, a member of the Parole Board from 1952-1972 during which he was for seven years the Chairman, and Supervisor in the Office of the Commissioner of Probation from 1972 until his retirement this year.

Mr. Brocklesby is a graduate of Keith Academy, College of the Holy Cross, attended the Boston University College of Business Administration and is a graduate of Suffolk University Law School where he received his Juris Doctorate Degree in 1969. Winner of the David I. Walsh Scholarship, Mr. Brocklesby was admitted to the Massachusetts Bar in November, 1969.

Mr. Brocklesby has had a wide and varied experience in the Criminal Justice System beginning as a Correctional Officer at the Billerica House of Correction. In 1965, he entered the probation service as a probation officer in the Westboro Court, later transferred to the Middlesex Juvenile Probation District where he was elevated to the position of Assistant Chief Probation Officer.

Mr. Brocklesby, in 1972, was designated Chief Probation Officer of the Middlesex Probate Court. As Chief Probation Officer, he has had direct supervisory responsibilities of his staff, now numbering thirty-seven, has demonstrated through the introduction of new programs his ability not only to be innovative, but to administer, staff, train, fund and implement these programs. He has shown through his tenure the prerequisite skills and knowledge, interest and temperament to be an effective administrator. The installation of an automated data processing system under his direction will track and enforce collections of over 4 million dollars this fiscal period.

Mr. Brocklesby is a member of the Lowell, Massachusetts and American Bar Associations.

His other professional and personal affiliations include the Massachusetts Probation Association, Probate Probation Association (past chairman), National District Attorneys' Association, Advisory Committee to Concord Counselling Associates, Greater Lowell Association for Retarded Citizens, Exchange Club of Lowell and the Lowell Lodge of Elks.

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CHANGE OF PERSONNEL

DESIGNATIONS AS CHIEF PROBATION OFFICERS

Richard J. Dwyer, Municipal Court of the Dorchester District, effective September 14, 1977.

Peter Heymanns, Acting, District Court of Holyoke, effective September 1, 1977.

Drew Zabriskie, District Court of Essex, Newburyport, effective August 5, 1977.

DESIGNATIONS AS ASSISTANT CHIEF PROBATION OFFICER

Robert H. Melle, Central District Court of Berkshire, Pittsfield, effective August 1, 1977.

Lois Quinn, Berkshire Juvenile Probation District, effective July 25, 1977.

PERMANENT APPOINTMENTS

Gary L. Ambler, Boston Juvenile Court, effective July 13, 1977.

Timothy F. Best, District Court of Western Hampden, Westfield, effective September 1, 1977.

Michael J. Carey, District Court of Hampshire, Northampton, effective June 13, 1977.

Marcia DeFazio, District Court of Hampshire, Northampton, effective June 13, 1977.

Thomas E. Ellis, 24 Kearney Avenue, Pittsfield, Central District Court of Berkshire, Pittsfield, effective July 13, 1977, a graduate of North Adams State College.

Christine Farrell, Fourth District Court of Plymouth, Wareham, effective August 29, 1977, a former probation officer in the Plymouth Juvenile Probation District.

Brian J. Feeney, District Court of Hampshire, Northampton, effective August 1, 1977.

Anne C. Gallagher, Probate Court of Middlesex County, effective November 1, 1976.

Robert J. Geary, Probate Court of Middlesex County, effective November 1, 1976.

Mark P. Hayer, 3 Hayer Street, Adams, Berkshire Juvenile Probation District, effective July 25, 1977, a graduate of Bridgewater State College.

Patricia Kane, 16 Keys Drive, Peabody, District Court of Lynn, effective August 15, 1977.

Kevin P. Lucey, District Court of Hampshire, Northampton, effective August 1, 1977.

Albert N. Newcomb, East Boston District Court, effective August 11, 1977.

PERSONNEL cont. p. 8

PERSONNEL cont. fr. p. 7

Robert D. Owen, 16 Trenton Street, Brockton, District Court of Brockton, effective September 1, 1977, a graduate of Southeastern Massachusetts University and a former probation aide.

Guy J. Petteruto, Lawrence District Court, effective July 1, 1977.

Richard M. Scott, Boston Juvenile Court, effective July 13, 1977.

Joseph R. Tarby, III, Probate Court of Middlesex County, effective January 24, 1977.

Patricia A. Toolin, First District Court of Southern Middlesex, Framingham, effective July 1, 1977.

Colleen A. Trainor, First Northern District Court of Worcester, Gardner, effective August 8, 1977.

Ronald F. Weafer, Fourth District Court of Eastern Middlesex, Woburn, effective July 1, 1977.

TEMPORARY APPOINTMENTS

Lawrence J. Heaton, 75 Lawn Street, Cambridge, Third District Court of Eastern Middlesex, Cambridge, effective August 22, 1977, a graduate of the University of Massachusetts.

Carol Ann Maher, 52 Stockman Street, Springfield, District Court of Holyoke, effective July 20, 1977, a graduate of Westfield State College.

Marcia Scott, 5 Fenwick Street, Roxbury, Municipal Court of the Roxbury District, effective April 6, 1977.

LEAVE OF ABSENCE

Gerard F. Brocklesby, Chief Probation Officer, Probate Court for Middlesex County, effective September 1, 1977.

Nicholas Finke, Probate Court for Middlesex County, effective October 1, 1977.

Gerarda M. Fulham, Bristol Superior Court, effective September 27, 1977.

Timothy J. Kelleher, Third District Court of Eastern Middlesex, Cambridge, effective August 22, 1977.

RESIGNED

Marie R. Belhumeur, First District Court of Northern Worcester, Gardner, effective August 5, 1977.

Donald Cochran, First District Court of Eastern Middlesex, Malden, effective August 8, 1977. Mr. Cochran continues in his temporary, federally-funded position as assistant director of staff development in the OCP.

Paul DeWolfe, District Court of Southern Essex, Lynn, effective August 15, 1977.

Edward A. Dubilo, Fourth District Court of Plymouth, Wareham, effective June 25, 1977.

Michael McCartney, District Court of Western Hampden, Westfield, effective August 19, 1977.

Helen Gavin McGoey, East Boston District Court, effective July 22, 1977.

Eugene O'Neil, District Court of Holyoke, effective July 19, 1977.

PERSONNEL cont. p. 10

OCP REQUESTS FEDERAL FUNDS

The Office of the Commissioner of Probation (OCP) has requested $469,000 in federal funds during 1978 from the Massachusetts Committee on Criminal Justice. The funds, if approved, will support seven projects prepared by the Program Planning and Management Unit. The project proposals cover the areas of staff development, accreditation, diversion, judicial-probation discussion groups and residential placements for probationers.

Two staff development projects, totalling $170,000 in requested funds would provide for approximately forty staff development programs to be available to the probation service. A smaller personnel proposal would provide staff to plan procedures for hiring and evaluating probation personnel and to perform other related planning functions.

The accreditation implementation project, involving a request for $72,000 would establish an Accreditation Commission to review and examine probation offices for accreditation. The project would implement the accreditation plan developed by a statewide task force of probation personnel during 1970-1973.

Two proposals for diversion programs have been submitted, both of which subcontract funds to the Justice Resource Institute, Inc. One proposal, involving nearly $30,000 in federal funds would provide diversion services for female offenders in Suffolk County district courts and the Boston Municipal Court. The other proposal, involving nearly $79,000 in federal funds, provides diversion services to female offenders before the Superior Court in Suffolk County.

The judicial-probation project would provide staff support to a discussion and planning group of judges and probation officers. The group would focus on alternative dispositions and the role of the probation officers in the process of providing alternative dispositions. Nearly $40,000 is being requested for the project.

Funds for residential accommodations and services totalling nearly $68,000 are being requested. These funds would be used to purchase emergency weekend and longer term residential placement for probation clients referred by probation officers from specific courts in the Greater Boston area.

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UTAH REMOVES MOST STATUS OFFENSES FROM INITIAL CONTACT WITH JUVENILE COURTS

Utah will soon become the first state to remove status offenses - acts that would not be considered crimes if committed by adults - from the (initial)* jurisdiction of the juvenile courts. Under a new law, effective May 10, 1977, runaways and "ungovernables" will be assigned to the Utah Division of Family Services. They will be sent to juvenile court only if the Division's "earnest and persistent" efforts are fruitless. The law, signed last month by Utah's governor, does not cover truants, who will still be handled by the schools and courts.

--Excerpt from the VIP Examiner a publication of the National Council on Crime and Delinquency, Vol. V/No. 3.

*Editorial insertion

INCRIMINATING STATEMENTS MADE TO PROBATION OFFICERS: ADMISSIBILITY IN SUBSEQUENT CRIMINAL TRIAL *

Three state courts have now decided that any statements about a later crime that a person under supervision makes while in custody to his probation officer without being given Miranda warnings (Miranda v. Arizona, 385 U.S. 436) may not be used as evidence in a prosecution for the crime to which those statements relate. Recently, the Arizona Supreme Court in State v. Magby, 19 Cr. L. Rptr. 243 (July 20, 1976) joined the holdings of the Supreme Courts of Kansas, State v. Lekas, 442 P.2d 11, and Ohio, State v. Gallagher, 313 N.E. 2d 396, in obligating probation or parole officers, when inquiring about a new crime for which the probationer or parolee is in custody, to advise that individual of his Miranda rights if any statements made are to be admissible in a forthcoming criminal trial.

The Arizona court quoted the United States Court of Appeals for the Fifth Circuit which had written in United States v. Deaton, 468 F.2d 541, 544 (5th Cir. 1972) that: "We have considerable doubt as to the propriety of even calling the parole officer as a witness for such a purpose. But, pretermitting that, we have no doubt that the testimony was inadmissible unless the officer gave prior Miranda warnings. A parolee is under heavy psychological pressure to answer inquiries made by his parole officer, perhaps even greater than when the interrogation is by an enforcement officer." The decision in Deaton and agreement of the three state supreme courts are a strong indication that the Miranda mandate will obtain in interviews by probation officers of probationers or parolees arrested on new charges if evidentiary use of any resulting statements is to be made. It would continue to be our hope, however, that in the Federal system probation officers preferably not be called as witnesses to testify to statements made in confidence to them by probationers or parolees. If Miranda warnings are not given, no evidentiary use could be made of such statements.

*Quoted from Federal Probation, December, 1976

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PERSONNEL cont fr. p. 8

Aaron W. Wilson, District Court of Hampshire, Northampton, effective July 29, 1977.

RETIRED

Bernard Harmon, Chief Probation Officer, Municipal Court of the Dorchester District, effective September 13, 1977. Mr. Harmon entered the probation service in 1946.

Charles F. Hoar, Municipal Court of the Dorchester District, effective May 24, 1977. Mr. Hoar entered the probation service in 1967.

Robert V. Lucey, Chief Probation Officer, District Court of Newburyport, effective July 31, 1977. Mr. Lucey entered the probation service in 1946.

DECEASED

Edward L. Magner, Assistant Chief Probation Officer for the Essex Superior Court on July 21, 1977. Mr. Magner entered the probation service in 1960.

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CONFERENCE cont. fr. p. 2

3:00 SPECIAL SESSIONS (cont.)

Probate Court Probation

Substantive & Procedural Law Relating to Contempt

The Hon. Henry R. Mayo
Judge, Essex Probate Court

Juvenile Court Probation

Children in Need of Human Services (CINS)

The Hon. Arlyne F. Hassett
Special Justice, Second Dist.
Ct. of E. Middlesex, Waltham

Howard Davidson, Esq.
Greater Boston Legal Services

Betty Vorenberg, CINS Coordinator, Dept. of Public Welfare

ACPO Bryan T. McMullen
Springfield Juvenile Court

District Court Probation

A New Judge Looks at the District Court

Hon. Paul A. Chernoff
Associate Justice, Newton
District Court

4:30 End of Day #1

WEDNESDAY, OCTOBER 19, 1977

9:00 REGISTRATION

10:00 WORKSHOPS

Q 1

Federal Special Education Legislation and Its Program Potential

John T. Robarts, Educational and Human Services Consultant
R & K Associates

R 1

Evaluating Community Resources and Developing a Service Delivery System

Richard E. Weisman, Director
Regional Probation Case
Project of Middlesex County

S 1

Grantsmanship in Probation

Arthur Eve, PhD., Associate Director, Institute for Governmental Services, University of Massachusetts

James Sansouci, Associate Director, Juvenile Justice Program, School of Education, University of Massachusetts

T 1

The Emerging Role of the Private Agency in Criminal Justice

Neil Houston, Executive Director
Massachusetts Crime and Justice
Foundation

CONFERENCE cont. p. 12

CONFERENCE cont. fr. p. 11

11:30 WORKSHOPS

Q 2

Repeat of Q 1

R 2

Repeat of R 1

S 2

Repeat of S 1

T 2

Repeat of T 1

1:00 LUNCHEON

Presiding:
The Hon. Samuel E. Zoll
Chief Justice, Massachusetts
District Courts

Speaker:
Robert J. Kane, Executive
Director, Massachusetts
Committee on Criminal
Justice

3:00 ADJOURNMENT

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KEOUGH cont. fr. p. 4

Court, speaking for the entire probation staff of that court, says that the thing they will always remember is "his smile," and the fact that he could always lighten a tense situation with his ready sense of humor. As Joe says, "he was tremendous." He was, indeed, and one hell of a guy.

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COLLECTIVE BARGAINING LEGISLATION IS ENACTED

Collective bargaining legislation for employees of the judicial branch was approved June 13, 1977. A summary of the main points of the legislation is given below.

Chapter 278

AN ACT Relative to Collective Bargaining by Judicial Employees

Chapter 278 of the Acts of 1977 amends Chapter 150E of the General Laws in several ways by:

(1) Including, with exceptions, persons employed by a public employer in the judicial branch of government within the definition of "public employee."

(2) Designating the chief justice of the Supreme Judicial Court or his designee as the employer of such persons.

(3) Establishing two bargaining units, composed of such persons: one, a professional unit made up of probation officers and court officers; and one made up of clerical and non-managerial employees.

(4) Providing that any collective bargaining agreement reached shall not exceed a term of three years.

(5) Providing for the resolution of any conflict of interest which might arise between a matter under negotiation and any municipal, police or fire regulation.

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PROGRESS REPORT ON SEARCH FOR NEW MASSACHUSETTS COMMISSIONER OF PROBATION IS ISSUED

The following is quoted from the report to the Committee on Probation, September 19, 1977, by The Honorable David A. Rose, Massachusetts Appellate Court (Retired), Chairman of the Search Committee.

The Search Committee to find a new Massachusetts Commissioner of Probation was formed on June 14, 1977. At that time, a tentative deadline of October 15th was established for the submission of the names of five qualified candidates to the Committee on Probation.

Throughout its search for and evaluation of candidates for the position of Massachusetts Commissioner of Probation, the Search Committee has adhered to the following requirements for applicants which were set forth by the Committee on Probation at the initial meeting of the Search Committee:

1. A Master's or Doctoral degree (including Juris Doctor)

2. At least ten years in probation, corrections, or related human services, at least three of which must have been in an administrative capacity.

Several applicants did not meet these criteria, but the Search Committee found none of these individuals presented a strong case for waiving the above requirements.

I. Advertising

The Search Committee has conducted an extensive advertising campaign in order to attract qualified administrators from around the country to apply for the job, with a special effort being made to inform all persons involved in Massachusetts Probation and correctional services of the search for a new Commissioner. Advertisements or job announcements were placed in the following publications:

State-wide Circulation (5)

Mass. Bar Bulletin
Mass. Probation Quarterly
Mass. District Courts Bulletin
Boston Bar Bulletin
Mass. Lawyers Weekly

Nation-wide Circulation (10)

Corrections Digest
State Court Digest
Crime and Delinquency
Joint Enterprise
Criminal Justice Newsletter
ABA Journal
Federal Probation Quarterly
Federal Probation Newsletter
American Journal of Corrections
Corrections Magazine

In addition, news releases regarding the formation of the Search Committee and describing Commissioner Sands' service and the search for a successor, were issued to newspapers in the Commonwealth.

The final aspect of the advertising effort was the publication of a job announcement at the American Correctional Association convention in Milwaukee in mid-August.

SEARCH cont. p. 14

SEARCH cont. fr. p. 13

II. Response

Sixty-nine applications have been received between June 14th and September 15th. The cumulative characteristics of the applicants is described below:

Age: The mean average age of the applicants who indicated their age is 43.0 years. The youngest applicant is 28 years old, the eldest, 63.

Sex: Male - 67
Female - 2

Geography: Twenty-three of the applicants or 33 percent, are from Massachusetts. The complete geographic breakdown is thus:

Massachusetts	23	Ontario	1
Illinois	8	Indiana	1
New York	6	Georgia	1
Michigan	5	S. Dakota	1
Maryland	4	Colorado	1
New Jersey	2	Florida	1
Pennsylvania	2	Arizona	1
Ohio	2	Arkansas	1
Iowa	2	Dist. of Col.	2
Kentucky	2	Virginia	1
W. Virginia	1		

Education: With respect to education, eight candidates apparently do not meet the advanced degree requirement. Thirty-seven hold Master's degrees -- five in Sociology, thirteen in Social Work, and nineteen in other or unspecified fields. Twenty-two applicants hold a Juris Doctor degree, and two have Doctorates.

Experience: Ten individuals are currently employed in Massachusetts Probation -- four of these in the Commissioner's office, four Chief Probation Officers, and two Probation Officers. Nine applicants are employed in other Commonwealth social service or criminal justice organizations. Three Massachusetts residents are employees of Federal criminal justice agencies(LEAA, Treasury, U.S. Probation), and one candidate is a practicing attorney in Massachusetts. Fourteen of the out-of-state applicants are directly involved in probation, twenty-eight are involved in some other corrections-related field, and four are practicing attorneys.

Procedure: The large number of applications received necessitated a pre-screening of candidates in order to avoid over-burdening the interview stage. A screening subcommittee, consisting of four members and the committee chairman, was established to review the resumes of all applicants, and make a recommendation to the full Search Committee as to which applicants should be invited for interviews. After several meetings, this screening subcommittee has recommended the names of fourteen individuals for further consideration, and the full committee approved of this recommendation.

Interviews of the recommended candidates will be held on October 1st. A subsequent interview session may be necessary for the Search Committee to make its final decisions.

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MAS. L. J.3: Vol.12/No.4

MASSACHUSETTS PROBATION

BULLETIN FROM THE OFFICE OF THE COMMISSIONER OF PROBATION

Volume 12 Number 4 December 1977

JOSEPH P. FOLEY IS APPOINTED NEW COMMISSIONER

Left to right, Incoming Commissioner Joseph P. Foley, and Retiring Commissioner C. Eliot Sands

Joseph P. Foley of 13 Charles Street, Natick, Massachusetts became Massachusetts Commissioner of Probation on December 19, 1977. Mr. Foley was selected to fill the post by the Massachusetts Committee on Probation after a five-month search which attracted candidates from twenty states. The search was conducted by a special committee formed on June 14, 1977. Its fifteen members included six judges and one or more representatives of the legal profession, the police and the private sector. It was chaired by the Honorable David A. Rose, Massachusetts Appeals Court (Retired). A pre-screening of candidates was conducted by a subcommittee consisting of four members and the committee chairman. After several meetings, fourteen applicants were referred to the full committee for interviews. Six finalists were selected and after further interviews by the Committee on Probation, Mr. Foley emerged as the unanimous choice of that committee to fill the position of commissioner. He succeeds C. Eliot Sands, who held the position of commissioner for twelve years until his retirement this month.

Mr. Foley is a graduate of Boston College and holds a J.D. degree from Boston College Law School. He is married to the former Barbara Reardon and has two sons, Joseph P., Jr., a graduate student at the Boston College School of Social Work and Daniel L., a student at Northeastern University. During World War II, Mr. Foley served four years in the Army Air

FOLEY cont. p. 2

Editor: Michael Hutner Assistant Editor: Ann Cronin

The bulletin is published quarterly for the information of the Probation Service, the Judiciary, and the interested public. Correspondence should be sent to: Editor, Room 206, New Court House, Boston, MA 02108.

Publication Number: 6351

Approved by Alfred C. Holland
State Purchasing Agent

FOLEY cont. fr. p. 1

Force, and was separated with the rank of captain.

A member of the Massachusetts and Federal Bars, Mr. Foley began his professional career as a practicing attorney. In 1947, he was appointed a probation officer in the newly-formed Middlesex County Juvenile Probation District. Three years later, he was designated as chief probation officer in the same district. During his service in that capacity, he became a nationally recognized authority on juveniles and juvenile problems.

In 1966, Mr. Foley was appointed a deputy commissioner. As deputy commissioner, Mr. Foley demonstrated once again his expertise in juvenile affairs, frequently representing the commissioner on juvenile matters. In 1969, he received the "Man of the Year" award from the Massachusetts Juvenile Police Officers Association for his outstanding work with delinquent youth. His organizational and innovative talents in other fields became evident through his role as consultant and editor in the compilation of the new Probation Manual, his founding of the Massachusetts Probation Quarterly Bulletin, which is issued by the Office of the Commissioner, and his service as regional coordinator, for the OCP, of the Southeastern District Probation Service (comprised of all probation offices in the counties of Norfolk, Plymouth, Bristol, Barnstable, Dukes and Nantucket). Administrative and legal skills, as shown in his outstanding ability to implement the policies of the Office of the Commissioner in such diverse areas as the initiation and guidance of orientation training for newly appointed probation officers, Probate Court probation operations, and final auditing of "sealing of record" petitions, were invaluable to the Office of the Commissioner.

Mr. Foley is currently a member of the Massachusetts Bar Association, the National Council on Crime and Delinquency, the American Probation and Parole Association, the New England Conference on Crime and Delinquency, the Association for Psychiatric Treatment of Offenders and the Department of Youth Services Task Force on Secure Treatment. He is a member of the board of directors of the Boston Children's Services Association. He is a past member of the Natick Board of Health (chairman, 1957-60), the Natick Housing Authority, the Framingham-Westboro Area Mental Health Board, and the Professional Council of the National Council on Crime and Delinquency.

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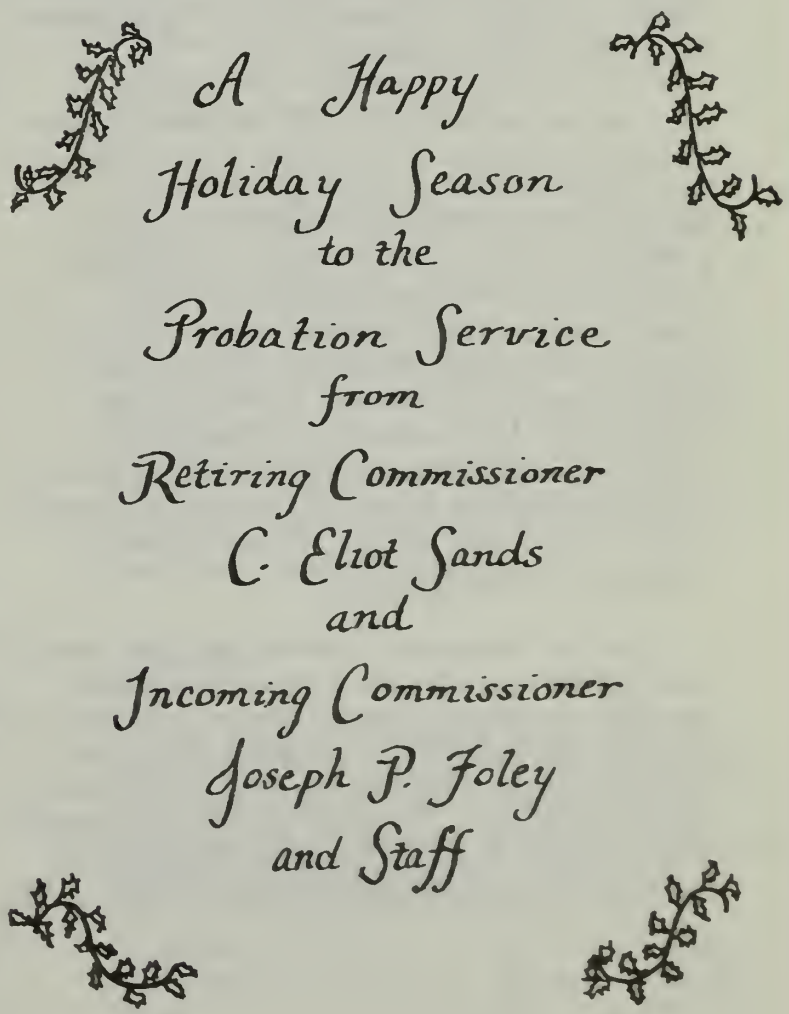

LOCAL TRAINER PROGRAM SHOWS PROGRESS

The latest in a series of OCP sponsored workshops in "Systematic Human Relations Training Skills" has been completed recently by 24 assistant chief probation officers. The course, taught by Bob MacGregor and Don Cochran of the Staff Development Unit, OCP, is designed to upgrade training skills of assistant chiefs who are designated as local trainers in their courts and to give trainers more skills in identifying, designing and implementing training programs at the local level. "Systematic Human Relations Training Skills" is a course based on building a communications model - from attending, listening, responding skills to establishing empathy and respect to eventual problem solving and goal setting. To date, 48 assistant chiefs have attended "Systematic Human Relations Training Skills" workshops with very positive feedback.

The recent workshops have been held as follow-ups to the local trainer workshops held early in 1977. Through this local trainer program, courts with 5 or more probation officers were asked to designate an assistant chief probation officer as local trainer. This person was trained to assume the responsibilities of assessing needs of the local courts, and designing, conducting, and evaluating training programs to meet these needs on a local level. Sixty-seven local trainers were trained and many of them are in the process of doing training at their local courts.

Charlie Ashe and Tony Sicuso, assistant chief probation officers of the Middlesex Juvenile Probation District have conducted training sessions for their staff to enable them to set up uniform procedures for surrender hearings. Through the use of lectures, role-playing and case studies, the rules of the court were delineated and a procedure for handling surrender hearings was established by the probation officers. The OCP Staff Development Unit awarded training credits to all probation officers who attended these sessions.

Charlie Ashe is currently conducting a twelve-week seminar for probation officers and directors of volunteer programs from Northern Worcester Juvenile Probation, Middlesex Juvenile Probation and the Ayer District Court. These sessions, led by trainer David Joseph of the Ayer Youth Guidance Center, are emphasizing interviewing skills, the helping process, expectations of the helper and client, and non-verbal behavior. Training techniques being used are role-playing, audio-visual taping and case consultation.

Another probation officer-local trainer who has been active in conducting local training programs is Alessandro Pizzi from the Wrentham District Court. Al designed an in-service probation training project which included the following topics: operational functioning of the Wrentham District Court, procedures of the juvenile probation department, supervision of adult probation cases, domestic relations supervision and DUIL cases. Instructors for most of these sessions were probation officers from the Wrentham Court who showed expertise in each particular phase of the work. A second phase of the same training program was designed to give probation officers a chance to familiarize themselves with community resources which are available to assist them in delivering client services.

TRAINING cont. on p. 4

ATTORNEY GENERAL WILL HOLD DRUG SEMINARS IN 1978

The Department of the Attorney General has announced that it will sponsor a series of drug education seminars during 1978. Probation officers attending the seminar will receive 45 training credits which will be applicable to OCP training requirements. Permission to attend the seminar must be obtained from the chief probation officer or the presiding justice of the court.

1978	Place
Jan. 9-19	Bunker Hill Com. College, Charlestown
Jan. 20-Feb. 9	Framingham State College, Framingham
Feb. 20-Mar. 2	Salem State College, Salem
March 13-23	Dean Junior College, Franklin
April 3-13	Quinsigamond Community College, Worcester
April 24-May 4	University of Massachusetts, Amherst
May 15-25	Northern Essex Community College, Essex
June 5-15	Massachusetts Maritime Academy, Buzzards Bay

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Congratulations to Probation Officer William O'Neil of the District Court of Fitchburg, who attended the Drug Education Seminar in Fitchburg.

CPO MILLETTE WINS AWARD

Springfield Juvenile Court Chief Probation Officer Flora V. Millette has been named as the Council for Children "Advocate of the Year" for 1977.

The award, which was presented to Ms. Millette on November 5, 1977, was given for untiring and devoted service on behalf of children and for active work on problems that affect the lives of children in the Springfield area.

Ms. Millette has devoted much of her life's work to girls and young women in conflict with the law. She has worked as a policewoman, a probation officer for girls and young women and assistant probation officer in Springfield District Court.

She is treasurer of the Massachusetts Probation Association, a member of the Board of Directors and past chairman of the Massachusetts Council of Probation Officers for Juveniles, vice chairman of the advisory committee of the Mercy Hospital School of Nursing, president and treasurer of Our Lady of the Elms Alumnae Association, and a moving force in the organization of the newly formed American Probation and Parole Association.

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TRAINING cont. fr. p. 3

As the local training program enters its second year, there are more and more local trainers who are setting up their own training programs to meet the specific needs of their local court. The OCP Staff Development Unit is available as consultants to these trainers and applauds their efforts to make on-going in-service training available to all probation officers.

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CHANGE OF PERSONNEL

DESIGNATIONS AS CHIEF PROBATION OFFICER

Donald J. Allard, Superior Court for Middlesex County, effective September 21, 1977.

Kenneth G. Lehane, Superior Court for Suffolk County, effective September 21, 1977.

DESIGNATIONS AS ASSISTANT CHIEF PROBATION OFFICER

Peggy L. Gassman, Probate Court for Norfolk County, effective December 19, 1977.

Leonard T. Gilman, Superior Court for Essex County, effective September 21, 1977.

William T. McAndrew, First District Court of Bristol, Taunton, effective November 22, 1977, a former probation officer for the Probate Court for Suffolk County.

Thomas J. Mitchell, District Court of Northern Norfolk, Dedham, effective October 3, 1977.

Gerald C. Murray, Probate Court for Norfolk County, effective December 19, 1977.

Barbara Pietrasczak, Probate Court for Essex County, effective November 7, 1977.

Gerald P. Santos, Acting, Second District Court of Bristol, Fall River, effective December 1, 1977.

Michael C. Smith, Probate Court for Essex County, effective November 21, 1977.

George V. Ward, District Court of East Norfolk, Quincy, effective November 21, 1977.

PERMANENT APPOINTMENTS

Christine L. Ashworth, First District Court of Bristol, Taunton, effective September 19, 1977.

Benjamin T. Briggs, III, Bristol County Juvenile Court, effective November 1, 1977.

Melvin G. Briggs, Municipal Court of the Brighton District, effective November 1, 1977.

Julie A. Burke, Plymouth Juvenile Probation District, effective October 21, 1977

Thomas J. Butler, 1350 Columbia Road, South Boston, Boston Juvenile Court, effective December 14, 1977, a graduate of Boston State College and a former director of the Charlestown Youth Resource Center.

Eileen A. Conradi, Superior Court for Middlesex County, effective September 15, 1977.

Marie Griffin, Municipal Court of the City of Boston, effective October 19, 1977.

Kevin J. Hoar, Probate Court for Hampden County, effective September 7, 1977.

PERSONNEL cont. on p. 6

PERSONNEL cont. fr. p. 5

Brenda Kane, East Boston District Court, effective September 14, 1977.

Ronald W. King, Probate Court of Worcester County, effective December 1, 1977.

Norbert F. Leary, Jr., Municipal Court of the City of Boston, effective October 19, 1977.

Rita F. McCarthy, 67 G Street, South Boston, District Court of Northern Norfolk, Dedham, effective November 15, 1977, a graduate of Boston State College.

Robert G. Moran, Probate Court of Plymouth County, effective December 5, 1977, a former probation officer for the District Court of Brockton.

William J. Moynihan, Central District Court of Northern Essex, Haverhill, effective December 1, 1977.

Judith A. O'Leary, Probate Court of Suffolk County, effective September 21, 1977.

Lawrence M. Oliveira, Bristol County Juvenile Court, effective December 1, 1977.

Kirk J. O'Reilly, Plymouth Juvenile Probation District, effective October 21, 1977.

Robert D. Owen, 16 Trenton Street, Brockton, District Court of Brockton, effective September 1, 1977, a graduate of Southeastern Massachusetts University.

Suzanne I. Stacy, Probate Court for Essex County, effective November 21, 1977, a former probation officer for the Third District Court of Eastern Middlesex, Cambridge.

Nancy Sullivan, Second District Court of Bristol, Fall River, effective December 1, 1977.

Frederick R. Wilkey, Jr., District Court of Northern Middlesex, Ayer, effective October 25, 1977.

George P. Zoulalian, 94 St. Rose Street, Jamaica Plain, District Court of East Norfolk, Quincy, effective November 18, 1977, a graduate of Amherst College, with a M.S.W. from the Simmons College School of Social Work.

TEMPORARY APPOINTMENTS

George R. Blake, 129 Clover Hill Drive, Feeding Hills, District Court of Hampshire, Northampton, effective October 7, 1977, a graduate of American International College.

Sheila M. Brown, 40 Goden Street, Belmont, Probate Court for Middlesex County, effective October 5, 1977, a graduate of Boston College.

Anne L. Cremonini, 43 Frederick Avenue, Medford, Probate Court for Norfolk County, effective November 7, 1977, a graduate of Framingham State College.

Marie Duffy, 2 Barbara Road, Danvers, Probate Court for Essex County, effective November 7, 1977, a graduate of Salem State College.

Kevin P. Duggan, 18 Berry Street, Quincy, District Court of Marlborough, effective September 6, 1977, a graduate of Boston State College.

PERSONNEL cont. on p. 7

PERSONNEL cont. fr. p. 6

James J. Dwyer, 144 Sunset Drive, Brockton, Middlesex Juvenile Probation District, effective September 30, 1977, a graduate of Norwich University and a former probation officer for the District Court of Brockton.

Paul Fernandes, 86 Baxter Street, Melrose, Probate Court for Essex County, effective November 21, 1977, a graduate of Boston State College.

Arnold J. Grace, 175D Bryant Lane, New Bedford, Bristol County Juvenile Court, effective November 1, 1977, a graduate of Southeastern Massachusetts University.

Geraldine M. Healy, 7 Cornauba Street, Roslindale, Probate Court for Norfolk County, effective November 7, 1977, a graduate of St. Anselm's College.

Robert G. Irvine, 71 Farragut Road, Swampscott, Probate Court for Essex County, effective November 7, 1977, a graduate of Providence College.

Mark Juknavorian, 12 Pearl Street, Lawrence, Probate Court for Essex County, effective November 7, 1977, a graduate of Merrimack College.

John E. Kenney, 589 Jerusalem Road, Cohasset, District Court of Brockton, effective December 5, 1977, a graduate of Boston State College, with an M. Ed. from Tufts University.

Karen H. Linnehan, 45 Clark Road, Lowell, Probate Court for Middlesex County, effective November 21, 1977, a graduate of Lowell Technological Institute.

Paul R. McGinn, 21 Ellis Avenue, Marlborough, Probate Court for Middlesex County, effective November 21, 1977, a graduate of St. Anselm's College.

Brian Monaghan, Lowell, Probate Court for Essex County, effective November 21, 1977, a graduate of St. Michael's College.

Kathleen M. Nelligan, 64 Chestnut Street, Andover, Probate Court for Essex County, effective November 7, 1977, a graduate of Merrimack College.

Joseph P. O'Connor, 19 Dalton Road, Belmont, Probate Court for Middlesex County, effective October 31, 1977, a graduate of Boston State College.

Bruce O'Donnell, 11 Faith Avenue, Dracut, Probate Court for Middlesex County, effective November 21, 1977, a graduate of Lowell Technological Institute.

Lisa A. Roberts, 710 Union Street, Rockland, Probate Court for Norfolk County, effective November 7, 1977, a graduate of Manhattanville College and Suffolk University Law School.

Stephen R. Rocco, 268 Shute Street, Everett, Probate Court for Norfolk County, effective December 19, 1977, a graduate of Salem State College.

John F. Scott, 118 Greenhood Street, Dedham, Probate Court for Norfolk County, effective November 7, 1977, a graduate of Northeastern University.

John M. Smoot, 43 Tremlett Street, Dorchester, Probate Court for Norfolk County, effective December 19, 1977, a graduate of Yale University.

Andrew H. Sullivan, 463 Poplar Street, Roslindale, Probate Court for Norfolk County, effective November 7, 1977, a graduate of Boston College.

PERSONNEL cont. on p. 8

PERSONNEL cont. fr. p. 7

RESIGNED

Vincent M. Amoroso, Assistant Chief Probation Officer, Marlborough District Court, effective September 6, 1977.

Alexander L. Moschella, Superior Court for Middlesex County, effective November 1, 1977.

RETIRED

Ronald R. Paradis, Assistant Chief Probation Officer, Second District Court of Bristol, Fall River, effective November 30, 1977. Mr. Paradis entered the probation service in 1959.

LEAVE OF ABSENCE

Marcia Flynn, Municipal Court for the Dorchester District, effective October 25, 1977.

RETURNED FROM LEAVE

Tena M. Coley, Second District Court of Bristol, Fall River, effective October 11, 1977.

John J. O'Neil, District Court of Northern Norfolk, Dedham, effective October 3, 1977.

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TRAGER RESIGNS

Preston R. Trager, Grants Manager for the Office of the Commissioner, has resigned, effective December 17, 1977. Mr. Trager has accepted a position with the Massachusetts Committee on Criminal Justice as Financial Grants Manager, and will start his new duties on December 19, 1977.

MASSACHUSETTS PROBATION SERVICE WILL BE 100 YEARS OLD IN 1978

Next year, 1978, will be the 100th anniversary of the Massachusetts Probation Service. We feel, and we hope you share this feeling, that we should celebrate this occasion. It seems a good time to renew and communicate to the citizens of our Commonwealth, the principles to which we have dedicated our lives. A preliminary meeting to discuss possible ways to honor our centennial was held on Wednesday, November 16, 1977 at 1:00 pm at the Office of the Commissioner. No plans have been made as yet. We are open to your suggestions. The next meeting will be held on Wednesday, January 11, 1978 at the Office of the Commissioner at 1:00 pm. Your suggestions are welcome.

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REALITY THERAPY BOOKLET AVAILABLE

Probation officers who are interested in the concept of reality therapy are informed that David H. Robinson, Jr., a probation officer for the Worcester Juvenile Court has written a booklet entitled: Reality Therapy: Its Appropriateness and Application in Juvenile Probation Work, which sets forth his ideas on that subject. Probation Officers may purchase this booklet for $2.00 by writing to the author at the Worcester Juvenile Court, 75 Grove Street, Worcester, MA 01608.

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SUFFOLK COUNTY JUVENILE APPEALS MUST BE HEARD IN BOSTON JUVENILE COURT

Chapter 431

AN ACT Requiring Appeals of Juveniles Adjudged Delinquents in the District Courts of Suffolk County to be Heard by the Boston Juvenile Court.

Be it enacted, etc., as follows:

SECTION 1. Chapter two hundred and sixty-two of the acts of nineteen hundred and seventy-six is hereby repealed.

SECTION 2. The second paragraph of section 56 of chapter 119 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 336 of the acts of 1971, and inserting in place thereof the following sentence:- Any child adjudged a delinquent in any district court in Suffolk county or in the Boston Juvenile Court, shall appeal to the Boston Juvenile Court and claim a jury of twelve in said court, if he so desires.

Approved July 15, 1977.

****

TWO DISTRICT COURTS MOVE TO NEW QUARTERS

The Fourth District Court of Plymouth, Wareham, has moved to its new quarters in West Wareham at the junction of Routes 28 and 58 at the Rochester-Wareham town line. The address of the court is now Route 28, Cranberry Highway, West Wareham, MA 02576.

The First District Court of Essex, Salem, has also moved to 65 Washington Street, Salem, MA 01970. This does not affect the location of the Administrative Office, which will still be at 209 Essex Street, Salem.

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TOWN BY-LAW VIOLATIONS ARE DECRIMINALIZED

Chapter 401

AN ACT Authorizing Cities and Towns to Provide by Ordinance or By-law for Noncriminal Disposition of Certain Violations.

Chapter 401 amends Chapter 40 of the General Laws as follows:

1) Authorizes towns to dispose of violations of town by-laws and ordinances by noncriminal means.

2) Provides that the clerk of court of the district court having jurisdiction shall maintain a separate docket of all notices of such violations and shall collect any fines which may be assessed.

3) Provides that, whether the violation is admitted or contested, no person, notified of such a violation, shall be required to report to any probation officer, and no record of the case shall be entered in any probation record.

4) Provides that if there is a default in the payment of a fine, a criminal complaint may issue.

****

HOMESTEAD LAW PROTECTS PROPERTY OWNER

In the last few years, public officials have become increasingly subject to law suits charging personal liability for accidents which occur during their working hours. A verdict obligating the defendant in such a suit to pay a large settlement can leave him in a serious financial bind, sometimes even forcing him to sell his home. The Office of the Commissioner is indebted to Probation Officer Philip LaLiberte of Middlesex Superior Court for information indicating that there is a law on the books of the Commonwealth which seeks to protect a defendant from being stripped of his home, if he is unfortunate enough to find himself in such a situation.

The Homestead Law (G. L. Chap. 188) permits a "householder who has a family ... to acquire an estate of homestead to the extent of thirty thousand dollars in value in the land and buildings thereon owned or rightly possessed by lease or otherwise and occupied by him as a residence, and such estate shall be exempt... from attachment..." In other words, any person who owns and occupies a home with his family may establish an "estate of homestead" on that property, up to the amount of $30,000 and the property, up to that amount, is exempt from attachment by any person who obtains a judgment against the householder. The only exceptions may be mortgages or liens which were in existence before the estate of homestead is obtained.

Setting up the protection is relatively simple. When buying a new home, it can be incorporated into the new deed. If the property is already owned, a prescribed form (illustrated below) may be filed out and when signed, sealed, acknowledged and recorded in the registry of deeds for the county or district in which the property is situated, the estate of homestead is automatically in effect. However, although the process is a simple one, there are numerous individual situations which might require the advice of an attorney. Registries of Deeds vary in their response to inquiries. Some will not give out any information, but will only accept the declaration for recording, while others are willing to give advice.

Anyone wishing to file an estate of homestead may obtain a copy of the declaration form by contacting John Zamparelli at the Middlesex County Registry of Probate in Cambridge, MA. Filing fee is $5.00.

DECLARATION OF HOMESTEAD

_____, living with a family and (owning) (leasing) the property at _____ (Street) (Avenue) (Place) in _____, Massachusetts, property acquired by (him) (her) (them) by (conveyance) (inheritance) from _____ on or about _____, 19____, the acquisition (deed) being recorded in Book _____, Page _____ in the _____ County Registry of Deeds, hereby declare that property to be a homestead as provided in Chapter 188 of Massachusetts General Laws.

The property is described in a (deed) (lease) as follows:

Witness (my) (our) hand and seal this _____ day of _____ 19__

(L.S.) _____
(L.S.) _____
(L.S.) _____

County _____ Commonwealth of Massachusetts (Date) _____

On this _____ day of _____, 19__ before me personally appeared _____ to me known to be the person or persons described in and who executed the foregoing instrument, and acknowledged that (he) (she) (they) executed same as (his) (her) (their) free act and deed.

_____
Notary Public

My commission expires on _____, 19_____.

****

OCP STUDY SHOWS OFFENSE RATE HIGHEST FOR YOUTHS 17-25

The Office of the Commissioner has begun a program designed to monitor the number of defendants appearing in Massachusetts courts by offense and age group. The age groups chosen were the juvenile (7-16), the young offender (17-25), and the adult (26+). Offenses are grouped under six classifications as follows:

Against Person	Sexual assault Assault and battery Assault with a weapon, etc.
Against Property	Larceny Breaking and entering Receive stolen goods, etc.
Sex	Prostitution Indecent exposure, etc.
Against Public Order	Trespassing Disorderly conduct, etc.
Controlled Substances	Possession Intent to sell Hypo needle, etc.
Major Motor Vehicles	Use without authority Oper under influence Possess master keys

The data base is composed of court appearance information cards which are sent to the Office of the Commissioner each day by the various courts in the Commonwealth. It is hoped that a representative sample can be drawn at 3-month intervals to enable the Office of the Commissioner to establish a longitudinal study of offenders who have appeared in Massachusetts courts.

The first sample was drawn during a four-day period from October 24-27, 1977* and numbered 6,374 offenders of whom 3,895 were charged with minor traffic offenses excluded for the purpose of this study. The remainder, numbering 2,479 offenders, included 412 who were charged with major motor vehicle offenses. Of these, 2,132 were male and 347 were female.

Table I - Juvenile Offenders (7-16)

Class	Male	Female	Total	Percent
Against Person	26	10	36	10.6
Against Property	162	30	192	56.5
Sex	0	2	2	0.6
Motor Vehicles **	27	2	29	8.5
Against Public Order	37	10	47	13.8
Controlled Substances	29	5	34	10.0
Total	281	59	340	100.0

* Future samples will consist of five-day periods.
** Excludes Minor Traffic cases

STUDY cont. p. 12

STUDY cont. from p. 11

Table II - Young Offenders (17-25)

Class	Male	Female	Total	Percent
Against Person	191	13	204	15.6
Against Property	352	78	430	33.0
Sex	9	19	28	2.1
Motor Vehicles **	181	16	197	15.1
Against Public Order	283	39	322	24.7
Controlled Substances	107	16	123	9.4
Total	1123	181	1304	99.9

Table III - Adult Offenders (26+)

Class	Male	Female	Total	Percent
Against Person	151	7	158	19.0
Against Property	167	60	227	27.2
Sex	13	6	19	2.3
Motor Vehicles **	174	12	186	22.3
Against Public Order	185	17	202	24.2
Controlled Substances	38	5	43	5.1
Total	728	107	835	100.1

** Excludes Minor Traffic cases

COURT APPEARANCE RATE

As part of its continuing study, the OCP also will tabulate the court appearance rate - the number of defendants (excluding minor traffic cases) per 100,000 population in each age group.

The Massachusetts population, according to the 1970 Federal census was 5,689,170. Of this number, 1,092,100 were in the 7-16 age group; 848,109 in the 17-25 age group; and 3,065,800 in the 26+ age group. ***

Table IV - Court Appearance Rate per 100,000 Population

Excluding Traffic	
7-16	30.9 per 100,000
17-25	152.6 per 100,000
26 +	27.1 per 100,000

*** Figures will not match census total since there are 683,161 persons in the 1-6 year age group.

STUDY cont. on p. 13

STUDY cont. fr. p. 12

Summary

The general sample of offenses shows that in the juvenile age group, offenses against property have the highest incidence and together with offenses against public order, constitute 70% of all charges. As the age of the offender increases, the percentage of offenses against property declines, while the percentage of offenses against the person increases. The percentage of offenses involving controlled substances also show a downward trend as the age of the offender increases, while major motor vehicle offenses tend to increase proportionately in the older age brackets. Offenses against public order seem to stabilize in defendants seventeen years of age and older. The offense rate was very high in the young offender group, being five times that of the juveniles and five and one-half times that of the adult group.

****

The Office of the Commissioner recently announced that four vacancies now exist on its senior staff. The positions to be filled are deputy commissioner (2), probation trainer (1), and probation planner (1). Persons interested in obtaining a copy of the announcement of these employment opportunities are urged to write or telephone Jean Rogers at the Office of the Commissioner of Probation, 206 New Court House, Boston, MA 02108 (617-727-5300).

MASS. J6.3: Vol.13/No.1

MASSACHUSETTS PROBATION

BULLETIN FROM THE OFFICE OF THE COMMISSIONER OF PROBATION

Volume 13 Number 1 March 1978

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A LONG-TERM STUDY OF AN INTERVENTION PROGRAM

Joan McCord

Those who spend their lives in the service of others generally do not have the opportunity to learn about the effects of their efforts. The possibility for studying men who once were members of the Cambridge-Somerville Youth Study provides a rare exception. The Cambridge-Somerville Youth Study was designed during the years of the Great Depression. Its organizers solicited the names of young boys who lived in designated (generally deteriorated) areas of Cambridge and Somerville. They sought children who exhibited a wide range of behaviors, as measured (crudely) on a problem scale. It is important to note that the study included boys who seemed to be "average" (non-delinquent) as well as those who appeared to be pre-delinquents.

Between 1935 and 1939, a Selection Committee gathered data from elementary school teachers and from parents of the children whose names had been submitted. On the basis of this information, the Committee

McCORD, cont. p. 2

BEWARE--30 YEAR FOLLOW-UP STUDIES

Suzanne B. Sobel

Follow-up studies of intervention programs with delinquent youths are often lacking. Dr. Joan McCord's continued efforts to locate the original subjects of the Cambridge-Somerville study, initiated almost 40 years ago, and to evaluate whether the program had any effect on the youths should be admired. Much can be learned from this type of research. However, caution is necessary. Times have changed. During the period of the original study (1939-1945), this country was at war which had a great impact on the development of those young people. Treatment available at that time was different from mental health treatment available today. Definitions of delinquency have also changed.

Let me take this opportunity to focus on a few issues directly related to McCord's work which, if not taken into account, may lead one to incorrect or erroneous conclusions.

SOBEL, cont. p. 3

Editor: Michael Hutner

Assistant Editor: Ann Cronin

The bulletin is published quarterly for the information of the Probation Service, the Judiciary, and the interested public. Correspondence should be sent to: Editor, Room 206, New Court House, Boston, MA 02108.

Publication Number: 6351

Approved by Alfred C. Holland
State Purchasing Agent

McCORD cont. fr. p. 1

identified pairs of children similar in age, family backgrounds, home environments, and extent of delinquency-prone (if any) histories. Their efforts resulted in identification of 325 pairs of youngsters. By flip of a coin, one member in each pair was assigned to a group which would receive treatment.

The treatment program began in 1939, when the boys were between five and thirteen. Each boy had been assigned to a social worker. As originally conceived, the social worker was expected to build close relations with the boy and be available to provide assistance both to the boy and to his family. In addition to the social workers, the staff included a psychologist, tutors, a shop instructor, and consulting psychiatric and medical doctors who participated in the treatment.

A counselor shortage in 1941 resulted in a reduction of cases. By 1942, 253 boys remained in the treatment program. When a boy was dropped from the treatment program, his "matched mate" was dropped from the control group. Therefore, in 1942, 253 boys remained in the control group. The 506 people who were in the Cambridge-Somerville Youth Study on January 1, 1942, are currently supplying information which will contribute to our understanding of both the effects of the treatment program and personality development. These men are now in their late forties or early fifties.

Between 1939 and 1945, when the program terminated, boys in the treatment group had been visited--on the average--twice a month for five years. Over half the boys had been tutored in academic subjects; over a hundred received medical or psychiatric attention; almost half had been sent to summer camps; and most of the boys had participated in such activities as swimming, visits to local athletic competitions, and work in the project's shop. Boys in the treatment group were encouraged to join the Y.M.C.A. or other community youth programs. They and their families called upon the social workers for assistance in problems ranging from illnesses to requesting transportation.

Social workers were specifically prohibited from working with boys in the control group (even when they were friends of boys in the treatment group).

This Youth Study, developed in hopes of preventing delinquency, had several features which made it unique: 1) Participants were selected because they lived in designated neighborhoods and could be matched to another child of similar background; therefore, the biases which occur when participants are self-selecting did not affect this study. 2) Both "difficult" and "healthy" boys were included--thus avoiding the stigmatizing which occurs when only "difficult" children are included in a project 3) Boys were assigned to the treatment program by chance, with a matched boy being assigned to the control group; therefore, it is possible to evaluate effects of the treatment program by comparing men who had received treatment with men of similar backgrounds. 4) The project maintained excellent records, enabling investigators at a later date to use the records for research purposes.

The boys were matched on whether they appeared to be "difficult" or "average," and a toss of a coin determined whether they were placed in the treatment or the control group. Without intervention, therefore, one would expect both members of a pair to have similar outcomes. Treatment is considered a success if the man who had been in the treatment group had a more favorable outcome than his matched pair in the control group. Treatment is considered a failure if the man who had been in the control group had a more favorable outcome than his match from the treatment group.

McCORD cont. on p. 4

SOBEL cont. fr. p. 1

The practice of psychotherapy has come a long way since the early 1940's. We now have newer techniques, theories, and research data which are gradually helping to define what types of psychotherapy are most effective with certain problems delivered by certain kinds of people (California Youth Authority Studies). Labeling the treatment program in the Cambridge-Somerville study as "psychotherapy" is doing a disservice to psychotherapy as we know it today.

A related issue is whether the youth's "problem(s)" were adequately defined with an appropriate treatment plan implemented in the original study. Perhaps the lack of effectiveness of the program was the lack of its direction. Perhaps all that McCord has demonstrated is that an unclear intervention by an unstudied group of helpers was not effective with this population of youths at that time, some 40 years ago.

McCord has performed elaborate analyses based on conviction records of the youths as a measure of their criminal behavior. One must remember that this is a measure of those who are caught and convicted. It is not a direct measure of the number of crimes committed--only self-reports would yield this data. Thus, her statements on criminal behavior need to be tempered.

Finally, McCord's analyses are based on group data, always looking at whether the individuals in the treatment group showed up worse. However, group data often cancels out the differences within the group of which individuals did well, and which ones did not. Analysis of these groups would shed light on effectiveness of the intervention, and lead us to a greater understanding of the relationship of this treatment to changes in criminal behavior as well as enlighten us to the kinds of experiences, events, and interventions that are important in reversing a potential life of crime. McCord has looked at the failures. But we must look at the successes, as well, if we are to learn how best to help youth.*

****

Suzanne B. Sobel, Ph.D. is a clinical research psychologist at the Mental Health Study Center, National Institute of Mental Health, Adelphi, Maryland.

*Editor's Note: Dr. McCord has prepared this brief comment in answer to Dr. Sobel's critique of her study:

While I agree with Dr. Sobel that caution is justified, I would suggest that this caution should be applied to current intervention programs as well as to generalizations based on the Cambridge-Somerville Youth Study. The Cambridge-Somerville Youth Study provided tutoring, medical assistance and the services of mature counselors. Prior to analysis of the effects of treatment, there was good reason to believe that the program had helped those it served. Naturally, in analyzing the effects of the program, I searched for signs of benefit. With the exception of reports by the participants, none appeared. I, too, hope that the newer forms of intervention are improvements; yet, I believe we ought not be willing to accept a judgment that they are without examining objective evidence.

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COMMUNITY SERVICE BOOKLET AVAILABLE

Probation officers in the Greater Boston area who wish to acquire a compact listing of community services available to ex-offenders are advised that a booklet entitled Resources for Adult Ex-offenders is available from Massachusetts Halfway Houses, Inc. Published in January, 1978, this updated third edition can be ordered, for $1.50 per copy, from RESOURCES, M.H.H.I., Box 348, Boston, MA 02117.

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McCORD cont. fr. p. 2

Between 1975 and August, 1977, a search was made for the 253 men who had been in the treatment program through 1942 and for their "matched mates" from the control group. With the exception of eleven men from the treatment group and thirteen from the control group, the men have been located. Almost equal proportions--79% from the treatment group and 77% from the control group-- have been found in Massachusetts.

Research Findings

In both the treatment and control group, approximately eight out of ten men are currently employed and over 90% find their work satisfying. Comparisons between the men who had formerly been in the treatment group and those in the control group indicate no reliable differences in where they are now living, how many died, marital status, use of leisure time, overall satisfaction with life, political attitudes. or opinions. Approximately two-thirds of the men who had formerly been in the treatment group believe that the Cambridge-Somerville Youth Study was beneficial to them. Yet comparisons between the treatment group and the control group suggest that, overall, the program was a failure. There are indications that treatment may possibly have been harmful to some of the men.

A comparison of the age at which the men had died show that those who were in the treatment group died at younger ages. A comparison of those who received treatment for mental illnesses indicates that those who were in the treatment group received more serious diagnoses. More of the men from the treatment group seem to have problems with alcohol. The treatment group also more frequently express dissatisfaction with their jobs.

Since the goal of the treatment was to prevent criminal behavior, it is especially important to see whether the program had the intended effect. The rest of the article will analyze the success of the treatment according to criteria of convictions for criminal activity.

Six measures of outcome are used: whether an individual had ever been convicted for a crime other than a traffic violation; whether he had ever been convicted for a serious crime against property or persons; whether he had been convicted for more than one crime; whether after the age of eighteen, he had been convicted for a non-traffic crime; whether, after the age of eighteen, he had been convicted for a serious crime against property or persons; and whether he had ever been convicted for a crime against persons. By using these six measures, it is possible to search not only for a reduction in antisocial behavior in general, but also for effects which might be reflected in a reduction in serious criminal behavior, delayed effects, or effects related to attitudes toward people.

In 1975, the men were traced through the Massachusetts Office of the Commissioner of Probation. Records showing convictions provide the basis for the evaluation of variations in treatment.

Criminal records, of course, contain inaccuracies. Yet they appear to be reasonable measures of serious or repetitive criminal behavior. Furthermore, there is no reason to believe that whatever biases might affect criminal records would be related to whether a person had been in the treatment or the control group.

Although the goal of the program was to reach young boys for an extended period of time through a continuing counseling relationship, only 52 boys began treatment before their eleventh birthdays were in the treatment program for at least six years and had no more than two counselors during this period. However, it seems fair to ask

McCORD cont. on p. 7

CHANGE OF PERSONNEL

DESIGNATIONS AS CHIEF PROBATION OFFICER

Thomas B. Brennan, Probate Court for Plymouth County, effective December 4, 1977.

Joseph M. Connolly, Acting Co-Chief Probation Officer, Probate Court for Middlesex County, effective January 3, 1978.

John E. Graham, Acting, District Court of Eastern Essex, Gloucester, effective January 23, 1978.

Joan M. Rahavy, Acting Co-Chief Probation Officer, Probate Court for Middlesex County, effective January 3, 1978.

DESIGNATIONS AS FIRST ASSISTANT CHIEF PROBATION OFFICER

Hubert C. Travers, Acting, Municipal Court of the Dorchester District, effective January 18, 1978.

DESIGNATIONS AS ASSISTANT CHIEF PROBATION OFFICER

Robert C. Anderson, Probate Court for Worcester County, effective January 3, 1978.

Carl J. Cruz, Acting, 10 Shirley Street, New Bedford, Probate Court for Bristol County, effective January 3, 1978, a graduate of Yankton College with an M.S. from Simmons College.

Bernard L. Fitzgerald, Acting, Municipal Court of the Dorchester District, effective January 18, 1978.

Robert G. Moran, Probate Court for Plymouth County, effective February 1, 1978.

Dorothy L. Parks, Boston Juvenile Court, effective January 18, 1978.

David R. Ricard, Probate Court for Hampden County, effective January 17, 1978.

PERMANENT APPOINTMENTS

Muriel G. Baker, First District Court of Essex, Salem, effective March 1, 1978.

George R. Blake, District Court of Hampshire, Northampton, effective January 7, 1978.

James R. Conry, Northern Worcester Juvenile District, effective February 1, 1978.

Gloria I. Fernandez, 237 Garden Street, Cambridge, Boston Juvenile Court, effective December 28, 1978, a graduate of Regis College, with an M.S.W. from the Simmons College School of Social Work.

Gloria George, Fourth District Court of Plymouth, Wareham, effective January 30, 1978.

Stephen T. Greaney, 16 Dorothy Avenue, Worcester, Probate Court for Worcester County, effective December 12, 1977, a graduate of the University of Massachusetts, Amherst, with a M.Ed. from Fitchburg State College.

Joseph K. Kattar, Jr., District Court of Lawrence, effective January 3, 1978.

PERSONNEL cont. p. 6

PERSONNEL cont. fr. p. 5

Carol Ann Maher, District Court of Holyoke, effective December 23, 1977.

John E. McLaughlin, Fourth District Court of Plymouth, Wareham, effective January 3, 1978.

William A. Pepka, Jr., Sibley Road, Sutton, Probate Court for Worcester County, effective January 3, 1978, a graduate of Worcester State College with a J.D. degree from Suffolk University Law School.

David J. Ponte, Bristol County Juvenile Court, effective January 2, 1978.

Mary F. Prior, Probate Court for Suffolk County, effective January 4, 1978.

Jeffrey A. Wordell, 140 Wordell Road, Somerset, Fourth District Court of Bristol, Attleboro, effective February 1, 1978, a graduate of Barrington College, Rhode Island.

TEMPORARY APPOINTMENTS

Anne L. Bivins, 9 Winslow Drive, Taunton, Probate Court for Bristol County, effective December 12, 1977, a graduate of Boston State College.

Patricia Cawley, 20 Studley Court, Concord, Third District Court of Eastern Middlesex, Cambridge, effective January 17, 1978, a graduate of the University of Massachusetts.

James E. Clancy, 269 Walnut Street, Lynn, Probate Court for Essex County, effective December 30, 1977, a graduate of American International College.

David M. Clauretie, 65 Ellis Street, Brockton, Probate Court for Plymouth County, effective February 1, 1978, a graduate of Boston University.

William P. Farrell, 26 Croyden Street, Springfield, Probate Court for Hampden County, effective January 17, 1978, a graduate of Providence College.

Thomas Gately, 25 Rosselerin Road, Dorchester, Boston Juvenile Court, effective December 28, 1977, a graduate of Boston State College.

Thomas E. Gill, 14 Macek Drive, Chicopee, Probate Court for Hampden County, effective January 17, 1978, a graduate of Western New England College.

Ann M. Hennessey, 115 Nonantum Street, Newton, Probate Court for Plymouth County, effective January 3, 1978, a graduate of Curry College.

John B. Jenney, Jr., 10 Glen Road, Wayland, Probate Court for Norfolk County, effective January 9, 1978, a graduate of Boston College with a J.D. from Suffolk University Law School.

Herbert E. Johnson, 41 Hiawatha Road, Mattapan, Probate Court for Suffolk County, effective January 23, 1978, a graduate of Boston College.

Patricia C.M. Kelly, 17 Sprague Avenue, Brockton, Probate Court for Plymouth County, effective February 1, 1978, a graduate of Northeastern University.

Charles S. LoGuidice, 8 Pine Street, North Abington, Probate Court for Plymouth County, effective February 1, 1978, a graduate of Stonehill College.

Henry A. Moran, III, 61 Dover Road, Longmeadow, Probate Court for Hampden County, effective January 17, 1978, a graduate of American International College.

PERSONNEL cont. on p. 9

McCORD cont. fr. p. 4

whether, for that small group, the program was successful as measured by criteria of criminal behavior. Disappointingly, a comparison between the court records of these men and their matched controls does not show that the program was successful. Slightly more of the men who had been in treatment were convicted for at least one non-traffic crime, for a serious crime, for more than one crime, and for a serious crime as an adult. Slightly fewer had been convicted for minor crimes as adults. An equal number in each group (7) had been convicted for crimes against persons. None of these differences ought to be considered reliable. They do suggest, however, that the program would not have been more effective had a higher proportion of the treatment group begun treatment under the age of eleven, continued treatment for at least six years, and had fewer changes in counselors.

Seventeen men had begun treatment before their ninth birthdays, had been in the program at least six years, and had no more than two counselors. As compared with their matched cases in the control group, none of the six measures of outcome suggested that treatment had been successful for this group.

Almost half (43%) of the boys were in the program for more than six years. (This includes not only the 52 boys who began treatment before their eleventh birthday and had no more than two counselors, but others as well). For those in treatment more than six years--there were significantly more failures than successes as measured by whether the person had ever been convicted for a serious crime and whether he had committed a serious crime as an adult. Interaction between length of treatment and the probability of a successful outcome indicates a greater likelihood of failure for those in treatment more than six years for a criterion of a serious crime, for a criterion of serious crime as an adult, and for the criterion of crimes against persons. Although there were slightly more successes than failures among those in the program less than six years, these differences were not reliable.

Intensity of treatment was measured by four variables: frequency of interaction between a boy and his first counselor, frequency of interaction between a boy and the counselor assigned to him over the longest period of time (his "major" counselor), frequency of interaction between the first counselor and the family of a boy, and frequency of interaction between the major counselor and the family of a boy. Results suggest that both the first counselor and the major counselor had more frequent contact with more difficult cases. Frequency of contact with the families did not appear to be related to seriousness.

One half the boys (50%) had contact with their first counselors less than once a month. These boys were less likely to be failures than were the boys visited more frequently. Indeed, the boys who had more frequent contact with their first counselors were more likely than would be expected by chance to be failures for five out of the six measures of outcome: any non-traffic crime, a serious crime, recidivism, a serious crime as an adult, and crimes against persons. Analyses indicated similar interaction between success or failure and intensity of treatment by the major counselor. Frequent interaction between a boy and his major counselor was related to reliably higher failure rates only as measured by whether a serious crime had been committed.

Boys whose families had been visited more frequently by their first counselors were more likely than those whose families had been visited less than once a month to commit some non-traffic crime. The failure rate among those whose families had been visited more frequently was statistically reliable as measured by non-traffic crimes.

McCORD cont. on p. 8

McCORD cont. fr. p. 7

It seemed possible that infrequent visits had a beneficial effect. Yet none of the measures of outcome supported this possibility.

When the treatment program began, there were four female counselors and six male counselors. Assessment of interaction between the sex of first counselor and success or failure indicated that those who had had male first counselors were more frequently failures as measured by recividism. Those who had had a male first counselor disproportionately appeared as failures when outcome was measured by recidivism. Because of counselor turnover, most of the boys (72%) had more than one counselor. Counselors for 149 boys had all been male, whereas counselors for 46 boys had all been female. Comparisons for these groups, on the outcome measures of recidivism and of non-traffic adult crimes indicated that males were less successful than females. Those whose counselors had all been male were more than twice as likely to be failures as successes with outcome measured by recidivism. Comparisons of pairs having similar outcome did not show that males had been assigned more difficult cases. Although the female counselors were less likely to produce failures than were the male counselors, their success rate was not reliably greater than chance on any of the six outcome measures.

Treatment varied considerably among the boys. These variations were classified as focusing on academic problems, health problems, personal problems, family problems or group participation. Treatment variations were coded both for first counselor and for major counselor. Only for the focus on personal problems did there appear to be an impact on outcome. Boys whose first counselor had focused on personal problems were less likely than chance to be a success as measured by non-traffic crimes, serious crimes, recidivism, and serious crimes as adults. Comparison of pairs with similar outcomes did not show that these boys were the more difficult problems. For two measures of outcome--non-traffic crimes and serious crimes--the major counselors' focus on personal problems appeared to increase failure. There is some evidence in the comparison of pairs who had similar outcomes that focus on personal problems by the major counselor occurred more frequently for those boys who had more serious problems for the criterion of non-traffic crimes.

A counselor's relationships with the boy and with his family were classified as close, friendly, or distant. These relationships were classified for both the first counselor and the major counselor. There was no evidence that the relationship between a boy and his counselor affected outcome. On one measure, however, the major counselor's relationship with the family seemed to affect outcome: boys from families with whom the major counselor had a distant relationship were reliably more likely to be failures than successes as measured by recidivism. These boys were not, apparently, the more difficult cases. Although this evidence suggests that damage might have been done through poor relationships of a counselor with a boy's family, there is no evidence that close relationships had a beneficial result.

Conclusion

It would have been preferable to be able to report that the Cambridge-Somerville Youth Study provides a beacon toward the successful approach to prevention of crime. Instead, the research seems to suggest that some of our more basic assumptions--assumptions which I shared--are wrong.

McCORD cont. on p. 1

PERSONNEL cont. fr. p. 6

John F. Nestor, 13 Pleasant Street, Salem, Probate Court for Essex County, effective December 9, 1977, a graduate of Merrimack College.

Robert A. O'Connell, 774 Pleasant Street, North Dighton, Fourth District Court of Bristol, Attleboro, effective January 9, 1978, a graduate of Northeastern University.

Gail S. Packer, 287 Underwood Street, Fall River, Probate Court for Bristol County, effective December 12, 1977, a graduate of Colgate University with an M.S.W. from Boston College.

John R. Ready, 5 Meadow Road, Carver, Probate Court for Plymouth County, effective January 3, 1978, a graduate of Boston State College.

Eileen A. Sullivan, 8 Hamilton Road, Brookline, Probate Court for Norfolk County, effective December 22, 1977, a graduate of Framingham State College.

Richard J. Wright, 53 Hillside Terrace, Belmont, Third District Court of Eastern Middlesex, Cambridge, effective January 23, 1978, a graduate of Boston State College.

Joseph F. Zoccola, 37 Crocker Street, Somerville, Second District Court of Eastern Middlesex, Waltham, effective February 1, 1978, a graduate of Franklin Pierce College.

RESIGNED

Daniel R. Bettencourt, District Court of Peabody, effective February 1, 1978.

Daniel J. Kelly, Jr., Probate Court for Suffolk County, effective December 15, 1977.

RETIRED

James J. Donohoe, First Assistant Chief Probation Officer, Third District Court of Eastern Middlesex, Cambridge, effective December 31, 1977. Mr. Donohoe entered the probation service in 1947.

Philippa Meyers, Boston Juvenile Court, effective February 7, 1978. Mrs. Meyers entered the probation service in 1957.

Winifred D. Nelson, Fourth District Court of Bristol, Attleboro, effective January 31, 1978. Mrs. Nelson entered the probation service in 1971.

LEAVE OF ABSENCE

John W. Coddaire, III, Superior Court for Middlesex County, effective January 9, 1978.

John H. Maloney, First Assistant Chief Probation Officer, Municipal Court of the Dorchester District, effective January 18, 1978.

Robert J. Preytis, Chief Probation Officer, District Court of Eastern Essex, Gloucester, effective January 23, 1978.

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MIAMI WILL HOST 25th INSTITUTE ON CRIME AND DELINQUENCY

The 25th Annual Institute on Crime and Delinquency, in conjunction with the Southern States Correctional Association Conference, will be held on June 18-21, 1978 at the Americana Hotel in Miami, Florida. Justices and probation officers are urged to mark this date on their calendars. For more information, please contact Betty McGrath, Publicity Chairman, Florida Department of Offender Rehabilitation, 1311 Winewood Boulevard, Tallahassee, Florida 32301.

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OCP CONDUCTS WORKSHOPS

Workshops for chief probation officers and local trainers, specialized training for Superior Court probation officers and orientation for newly appointed Probate Court probation officers are among the training courses which have been offered this winter by the Commissioner's Office.

At workshops for chief probation officers and local trainers, held on January 17, 18, 24 and 25, and attended by 61 out of 66 courts having local trainers, effectiveness of local training programs and areas of improvement were discussed. Training of Superior Court probation officers focused on supervision/case management, a topic identified in a fall 1977 survey by Superior Court probation officers as a priority training area. The sessions which were held in Framingham on February 14 and 16, were the result of a joint effort between the OCP Staff Development Unit and the Superior Court Probation Staff Development Committee with the support of the Supervisor of Superior Court Probation Services.

Orientation of 41 recently appointed Probate Court probation officers was scheduled for 2 two-week periods, February 27 - March 10 and March 20 - March 31. Eleven experienced Probate Court probation officers attended a preparatory training session conducted by the OCP Staff Development Unit. This workshop was designed to include their effectiveness in instructing specific sessions of the orientation. A one-day "Probate Law and Procedure Workshop," for newly appointed Probate Court probation officers and chief probation officers was conducted on March 3, in cooperation with Chief Judge Alfred L. Podolski.

WORKSHOP cont. on p. 11

CENTENNIAL COMMITTEE PLANS ANNUAL FALL CONFERENCE

The Massachusetts Probation Centennial will be celebrated this year at the annual fall conference. Commemorating the occasion will be a series of events to give recognition to the contribution of the Probation Service.

A centennial committee representing Superior, Probate, District and Juvenile offices has been planning the conference. Angelo R. Musto, First Deputy Commissioner, is coordinating its activities for the Commissioner's Office and Jack C. Burton, Probation Officer-in-Charge at the Edgartown Court, is chairman. Other members of the committee include: John J. Connelly, Chief Probation Officer, Norfolk Probate Court; Frank C. D'Elia, Probation Officer, Worcester Juvenile Court; Michael Hutner, Director of Research, Office of the Commissioner of Probation; Patricia J. Kennedy, Probation Officer, Framingham District Court; Norma P. Kilson, First Assistant Chief Probation Officer, Roxbury Municipal Court; George E. Ledoux, Chief Probation Officer, Worcester Superior Court; Patricia McCarthy, Probation Officer, Middlesex Superior Court; Thomas M. McGovern, Chief Probation Officer, Bristol Superior Court; Robert H. Melle, Assistant Chief Probation Officer, Pittsfield District Court; Manuel Moutinho, Chief Probation Officer, Springfield District Court; Edward R. Skeffington, Assistant Chief Probation Officer, Boston Juvenile Court; George R. Skelly, Chief Probation Officer, Boston Municipal Court; Thomas J. Sullivan, Chief Probation Officer, Framingham District Court; Marie R. Williams, Chief Probation Officer, Essex Superior Court.

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McCORD cont. fr. p. 8

The extent to which these findings can be generalized to other programs is problematic. I believe that the study does show that clients' opinions about the benefits of the program may be inappropriate measures of efficacy. The evidence is sufficient, in my opinion, to warrant caution about the effects of well-intentioned intervention.

The follow-up is continuing. Because of the cooperation of so many of the participants, the Cambridge-Somerville Study should not only help to provide answers to the puzzling question as to why the assistance had possible negative impact, but will also contribute importantly to understanding how people come to have the lives they do. *

Author's Note: If Massachusetts Probation readers know of any members of the Cambridge-Somerville Youth Project who have not been contacted, they are asked to telephone Ann Cronin, Assistant Editor, 617-727-5306.

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Joan McCord, Ph.D. is professor of sociology in the Department of Psychology and Sociology at Drexel University, Philadelphia, Pennsylvania.

This study was supported by PHS Research Grant No. 5 RO1 MH26779, NIMH (Center for Studies of Crime and Delinquency). It was conducted jointly with the Office of the Commissioner of Probation of the Commonwealth of Massachusetts. The author wishes to express appreciation to the Massachusetts Division of Alcoholism, the Cambridge & Somerville Program for Alcoholism Rehabilitation, the National Institute of Law Enforcement (through NI 74-0038 to Ron Geddes), the Massachusetts Departments of Mental Health, Motor Vehicles, and Correction, and to the many individuals who contributed to this research.

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WORKSHOP cont. fr. p. 10

The OCP is offering a varied schedule of courses this spring. These include training for new local trainers, workshops for probation officers for juveniles, orientation for Superior Court probation officers and management seminars for chief and assistant chief probation officers.

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JUVENILE COURT APPEARANCES INCREASE SLIGHTLY

The number of arraignments for juvenile offenses has increased slightly compared to last year. There has been a sharp decline in the number of juvenile bind overs to a grand jury for possible trial on criminal charges and a decline in the number of youths committed to the Department of Youth Services (DYS). Comparative figures compiled recently by the Research Unit of the Office of the Commissioner are shown in the following table: *

	1976	1977
Total Juvenile Court Appearances	22,689	23,112
Juvenile Bind Overs	75	36
DYS Commitments	1,129	1,015

*Individual defendants may have more than one initial court appearance, bind over or commitment during the calendar year and therefore be counted more than once in any of the categories.

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MASSACHUSETTS PROBATION

JOURNAL FROM THE OFFICE OF THE COMMISSIONER OF PROBATION

Volume 13 Number 2 June 1978

COLLECTION
JUL 27 1978
University of Massachusetts

PROBATION COMMITTEE PLANS CENTENNIAL CELEBRATION

Probation officers representing superior, probate, district and juvenile courts are planning the probation centennial celebration. The highlight of the centennial celebration will occur during the annual conference which will be held on November 15 and 16 in Hyannis during a week which will be designated by the Governor as Probation Centennial Week.

Featured at the two-day conference will be nationally-known speakers. Workshops for each of the court levels will focus on major issues confronting probation officers. There are two Superior Court sessions. The first is "The Probation Officer Looks at the Superior Court Probation Service" and the second is "The District Attorney Looks at the Superior Court Probation Service."

Probate Court workshops will be reserved for a general discussion of probate issues. District Court topics will cover surrender proceedings and court reorganization. Juvenile district court sessions will discuss probation office self-care, the problem of "burn out," transfer hearings, and mandatory sentencing. Regardless of court affiliation, everyone is welcome to attend any of the sessions.

A unique feature of the conference is the formal participation of probation office clerical personnel. Special workshops will focus on probation office procedures. Secretaries and clerks are urged to attend these sessions in addition to other programs at the conference.

Distributed at the conference will be a centennial booklet, which will include articles on the history of probation and on John Augustus, the first defacto probation officer, as well as profiles of previous Commissioners of Probation.

Attractions at the conference will include a buffet and Centennial Ball on the evening of November 15, 1978. Plans also are being made, with the cooperation and assistance of the Mayor of Boston, to have copies of the original statute, establishing the first probation officer, laminated and distributed to each probation office.

A Probation Centennial Task Force has been meeting since last November to plan the conference. Angelo R. Musto, First Deputy Commissioner, is representing the Commissioner's Office on the committee, of which Jack C. Burton, Probation Officer-in-Charge, Edgartown District Court, is chairperson and Patricia McCarthy, Probation Officer, Middlesex Superior Court, is vice-chairperson. Other members of the committee

CENTENNIAL cont. p. 2

Editor: Michael Hutner

Assistant Editor: Ann Cronin

The bulletin is published quarterly for the information of the Probation Service, the Judiciary, and the interested public. Correspondence should be sent to: Editor, Room 206, New Court House, Boston, MA 02108.

Publication Number: 6351

Approved by Alfred C. Holland
State Purchasing Agent

CENTENNIAL cont. fr. p. 1

include: John Connelly, Chief Probation Officer, Norfolk Probate Court; Frank C. D'Elia, Probation Officer, Worcester Juvenile Court; Joseph Faucette, Acting Chief Probation Officer, Springfield District Court; Patricia Kennedy, Probation Officer, Framingham District Court; Norma Kilson, First Assistant Chief Probation Officer, Roxbury Municipal Court; George LeDoux, Chief Probation Officer, Worcester Superior Court; Thomas McGovern, Chief Probation Officer, Bristol Superior Court; Robert Melle, Assistant Chief Probation Officer, Pittsfield District Court; Manuel Moutinho, Deputy Commissioner of Probation; George Skelly, Chief Probation Officer, Boston Municipal Court; Edward R. Skeffington, Assistant Chief Probation Officer, Boston Juvenile Court; Gerard R. Brocklesby, Supervisor of Court Probation Services; and Marie Williams, Chief Probation Officer, Essex Superior Court. Michael Hutner, Director of Research for the Office of the Commissioner, has been handling public relations.

Coordinating the clerical workshops is William R. MacGregor, Director of the Staff Development Unit. Representatives from probation offices who have met with him to plan the workshops include: Patti Ball, Worcester Superior Court; Pat McCarthy, Framingham District Court; Therese Stegall, Norfolk Probate Court; Jane Comerford, Roxbury Municipal Court; Shirley Cusluski, Springfield District Court; Genevieve Bulger, Boston Municipal Court; Bonnie Powers, Pittsfield District Court; Deborah Spearman, Middlesex Superior Court; and Jean Rogers, Helen Connolly and Ann Cronin, Office of the Commissioner.

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In the right hand column is a facsimile of the statute which will be laminated and distributed to all probation offices.

Chapter 198.

COMMONWEALTH OF MASSACHUSETTS.

In the year One Thousand Eight Hundred and Seventy-eight.

AN ACT relative to placing on probation persons accused or convicted of crimes and misdemeanors in the County of Suffolk.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows: Section 1. The mayor of the city of Boston shall appoint annually in the month of May and whenever a vacancy occurs, either from the police force of said city or from the citizens at large, a suitable person whose duty it shall be to attend the sessions of the courts of criminal jurisdiction held within the county of Suffolk, to investigate the cases of persons charged with or convicted of crimes and misdemeanors, and to recommend to such courts the placing on probation of such persons as may reasonably be expected to be reformed without punishment. If such officer shall be appointed from the citizens at large his appointment shall be subject to the confirmation of the board of aldermen, and he shall receive such compensation, to be paid from the treasury of the county of Suffolk, as the city council may determine. Such officer shall be under the general control of the chief of police of said city and be allowed a place in his office. He shall make reports as often at least as once in every three months, to said chief of police of the duties performed under this act together with the names of all persons placed on probation, their residences, and the nature of their offence. In case where it shall be deemed advisable by such officer that such persons shall be sent beyond the limits of the commonwealth at the expense of said city, the city council shall have authority to appropriate such sum as may be necessary therefor, and said sum may be expended by said officer under the direction of the chief of police, and an account of said expenditures with the items thereof shall be rendered in said reports. It shall be the further duty of such officer so far as the same is practicable, to visit the offenders placed on probation by the court at his suggestion, and render such assistance and encouragement as will tend to prevent them again offending. Any person placed upon probation upon the recommendation of such officer may be reassumed by him upon approval of the chief of police, without further warrant and again brought before the court; and the court may thereupon proceed to sentence or make such other disposition of the case as may be authorized by law. Such officer may at any time be removed from office by the mayor. Section 2. Nothing herein contained shall authorize such officer to interfere with any of the duties required of the visiting agent of the board of state charities under the laws of this Commonwealth relating to juvenile offenders. Section 3. This act shall take effect upon its passage.

House of Representatives, April 25 1878.
Passed to be enacted.
John T. Wait, Speaker.

In Senate, April 26 1878.
Passed to be enacted.
Peter H. D. Gunn, President.

April 26 1878.
Approved.
Alexander H. Rice

CHANGE OF PERSONNEL

DESIGNATIONS AS CHIEF PROBATION OFFICER

Brendan V. Callanan, 1270 Soldiers Field Road, Brighton, Middlesex Probate Court, effective May 15, 1978, a graduate of the University of Scranton, with an MSW from the Boston College School of Social Work, formerly with the American Public Welfare Association in Washington, D.C.

Joseph M. Faucette, Acting, District Court of Springfield, effective May 1, 1978.

Robert M. Madigan, District Court of Natick, effective May 8, 1978, formerly a probation officer in the Middlesex Juvenile Probation District.

DESIGNATIONS AS FIRST ASSISTANT CHIEF PROBATION OFFICER

Alfred J. Ferrari, Third District Court of Eastern Middlesex, Cambridge, effective March 1, 1978.

Rachel C. Stockton, Acting, District Court of Springfield, effective May 15, 1978.

DESIGNATIONS AS ASSISTANT CHIEF PROBATION OFFICER

Jocelyn I. Covington, Municipal Court for the Roxbury District, effective May 3, 1978.

William J. Delaney, District Court of Springfield, effective May 15, 1978.

Pearlis Jones, Acting, Municipal Court of the Dorchester District, effective May 17, 1978.

Paula M. Larkowich, Probate Court for Suffolk County, effective April 21, 1978.

Joseph P. McGonigle, Third District Court of Eastern Middlesex, Cambridge, effective February 16, 1978.

Salvatore Paterna, Boston Juvenile Court, effective May 10, 1978.

Lawrence S. Plenty, Boston Juvenile Court, effective May 10, 1978.

Marcia Scott, Acting, Municipal Court for the Roxbury District, effective May 3, 1978.

PERMANENT APPOINTMENTS

Rhonda Bolling, 712 Morton Street, Mattapan, Boston Juvenile Court, effective February 8, 1978, a graduate of the University of Massachusetts.

Mary P. Brennan, Municipal Court of the Dorchester District, effective May 17, 1978.

Louisa R. Browne, 906 Monument Street, Concord, District Court of Central Middlesex, Concord, effective May 15, 1978, a graduate of Middlebury College.

John F. Cremens, Suffolk Superior Court, effective March 22, 1978.

Kevin P. Duggan, District Court of Marlborough, effective March 6, 1978.

James J. Dwyer, Middlesex Juvenile Probation District, effective May 1, 1978.

Thomas Hughes, District Court of Holyoke, effective May 1, 1978.

Maureen S. Jones, Municipal Court of the Dorchester District, effective May 17, 1978.

Janet M. Maher, 128 Dent Street, West Roxbury, Boston Juvenile Court, effective May 10, 1978, a graduate of Boston State College.

Jean McInerney, Essex Juvenile District, effective April 17, 1978.

Paul V. O'Connor, Superior Court for Middlesex County, effective March 22, 1978.

PERSONNEL cont. p. 4

PERSONNEL cont. fr. p. 3

Gail S. Packer, Probate Court for Bristol County, effective June 1, 1978.

Henry Scagnoli, Municipal Court for the Roxbury District, effective April 12, 1978.

James C. Taylor, Boston Municipal Court, effective April 12, 1978

Colleen W. Theisen, 23 Hyde Street, Revere, First District Court of Eastern Middlesex, Malden, effective June 1, 1978, a graduate of Suffolk University.

TEMPORARY APPOINTMENTS

Nancy A. Bartley, 622 South Street, Holyoke, District Court of Eastern Hampden, Palmer, effective January 3, 1978, a graduate of Fitchburg State College.

John F. Busalacchi, 80 Third Street, Medford, Third District Court of Eastern Middlesex, Cambridge, effective March 1, 1978, a graduate of Merrimack College.

Steven M. Cadieux, 179 Main Street, Fairhaven, Bristol County Juvenile Court, effective May 8, 1978, a graduate of Southeastern Massachusetts University.

Robert J. Donahue, 836 Main Street, West Newburyport, District Court of Newburyport, effective April 15, 1978, a graduate of Merrimack College.

Mira Fish, 142 Marlborough Street, Boston, Municipal Court of the Dorchester District, effective May 17, 1978, a graduate of Skidmore College.

John M. Forcellati, 81 North Margin Street, Boston, Municipal Court of the Dorchester District, effective May 17, 1978, a graduate of Suffolk University.

Ronel W. Gunn, 94 Hutchings Street, Dorchester, Municipal Court of the Roxbury District, effective May 17, 1978, a graduate of Northeastern University.

Donald B. Kaufman, 505 West Street, Mansfield, Probate Court for Bristol County, effective March 15, 1978, a graduate of Boston University with a J.D from Suffolk University Law School.

James D. Kent, 5 Cross Street, Boston, Municipal Court of the Dorchester District, effective May 17, 1978, a graduate of Boston State College.

Ronald F. Lennon, 26 Lexington Street, Lynn, District Court of Southern Essex, Lynn, effective March 20, 1978, a graduate of Wake Forest University.

Michael J. McManus, 25 Purchase Street, Worcester, Probate Court for Worcester County, effective March 13, 1978, a graduate of Assumption College.

Steven B. Patten, 11 Columbia Road, Medford, Probate Court for Suffolk County, effective February 21, 1978, a graduate of Providence College.

Stephen Price, 68 Harvest Street, Dorchester, Probate Court for Suffolk County, effective April 24, 1978, a graduate of Boston State College.

Arthur E. Robbins, 132 Lyme Street, Malden, First District Court of Eastern Middlesex, Malden, effective June 1, 1978, a graduate of Suffolk University.

Joanna E. Scannell, 257 Pond Street, Jamaica Plain, Probate Court for Suffolk County, effective May 8, 1978, a graduate of Albertus Magnus College, with a M.Ed. from Boston University.

Carol A. Templeton, 16 Grogan Avenue, Quincy, District Court of East Norfolk, Quincy, effective March 6, 1978, a graduate of Northeastern University.

James T. Williams, 3 North Central Street, Peabody, District Court of Peabody, effective March 1, 1978, a graduate of Salem State College.

PERSONNEL cont. p. 7

COMPETITION FOR FIRST ANNUAL KEOUGH AWARD IS ANNOUNCED

In memory of Francis G. Keough, former deputy commissioner, the Office of the the Commissioner has announced the establishment of an annual award to the probation officer who, in a significant manner, has participated in, and contributed to, voluntary, community, civic or social services beyond probation office duties. The first award will be presented at the Annual Conference in Hyannis. Anyone may nominate a candidate for the award by submitting a brief description of the exemplary activities and the reasons why the nominee should receive the award. A committee to be named later will meet to review the nominees and select the recipient. Nomination forms, which are printed below, should be sent to Manuel Moutinho, Deputy Commissioner of Probation, 235 Chestnut Street, Springfield, Massachusetts 01103

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TWELVE PROBATION OFFICERS COMPLETE DRUG EDUCATION SCHOOL

Congratulations to the following probation officers who have completed the course of instruction in a Drug and Narcotics Education School conducted by the Department of the Attorney General in various counties during the past six months.

Name	Court
Edward Dalton	Norfolk Superior
David Greenspan	Chelsea District
John DiVincenzo	Salem District
Lewis F. Warren	Salem District
Edward Volta	Chelsea District
Muriel Baker	Salem District
Thomas Baker	Gloucester District
Paul Bartram	Lynn District
Richard Colgan	Greenfield District
Ray F. Crowley	Springfield Juvenile
Carol Carpenali	Springfield Juvenile
John Stuckenbruck	Springfield Juvenile

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F R A N C I S G. K E O U G H A W A R D

Name of Nominee Title

Court

Description of voluntary, civic or social activities

How have these activities benefitted the community?

Your name Telephone

Address

OCP RECEIVES ACCREDITATION GRANT OF $72,000

The Massachusetts Committee on Criminal Justice has awarded a $72,000 grant to the Office of the Commissioner of Probation to implement the accreditation plan developed by a state wide task force of probation officers from 1970-1974. The task force published the "Red Book" - an Accreditation Plan for Probation Offices in the Commonwealth of Massachusetts which was distributed to all probation offices in 1974. Joan McGrath, on leave from her position as a probation officer in the Malden District Court, has been appointed Probation Standards Specialist in the Commissioner's Office and will assist in the overall implementation of the plan.

The first step in making accreditation operational will be the appointment of a seven-member Probation Accreditation Commission (PAC), as described in the "Red Book." During July, the task force will reconvene and work through the summer to select nominees for the PAC. It is anticipated that Commissioner Foley will appoint the Commission members in early September, and, once established, the Commission will hire a full-time Executive Secretary and office staff to supervise all accreditation procedural activities.

An Advisory Committee and a Standards Committee will be selected from within the judiciary and probation service to provide a continuing evaluation of the accreditation process and any necessary revision of the 94 standards.

Accreditation is entirely voluntary. It is expected that within the first year, 8-12 probation offices will be reviewed for accreditation. Throughout all phases of implementation, the Probation Standards Specialist will act as consultant to the Probation Accreditation Commission and those offices applying for accreditation.

The American Correctional Association and the National Institute of Corrections have emphasized that only through self-evaluation can probation services be continually improved and hence be deserving of support from both the private and public sectors. Massachusetts will be the first state in the nation to initiate probation accreditation.

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NEW LEGISLATION AFFECTS ASSIGNMENTS OF CERTAIN PROBATION OFFICERS

Following an established policy, the Office of the Commissioner brings to the attention of the probation service, the following recently enacted legislation.

Chapter 71

AN ACT Further Regulating the Assignment of Certain Probation Officers.

SECTION 1. Section 83A of Chapter 276 of the General Laws is hereby amended by striking out the fourth paragraph, as appearing in section 2 of chapter 563 of the acts of 1951, and inserting in place thereof the following paragraph:-

The district courts so designated or redesignated in accordance with the provisions of this section shall appoint probation officers as aforesaid. The judges of the courts so designated may require any such officer so appointed to perform such other duties in connection with adult probation as are not inconsistent with the primary duties of such probation officer in juvenile cases.

SECTION 2. This act shall take effect on January first, nineteen hundred and seventy-nine.

Approved April 13, 1978.

PERSONNEL cont. fr. p. 4

LEAVE OF ABSENCE

Paul L. Bartram, District Court of Southern Essex, Lynn, effective May 1, 1978.

Francis J. Coughlin, Municipal Court of the Dorchester District, effective April 1, 1978.

Christine LaFranchi, Bristol County Juvenile Court, effective May 8, 1978.

Manuel Moutinho, Jr., Chief Probation Officer, District Court of Springfield, effective May 1, 1978.

Annemarie E. Rockwell, Boston Juvenile Court, effective June 27, 1978.

RETURNED FROM LEAVE

Robert Preytis, Chief Probation Officer, District Court of Eastern Essex, Gloucester, effective May 15, 1978.

RESIGNED

Gerard F. Brocklesby, Chief Probation Officer, Probate Court for Middlesex County, effective November 1, 1977.

Jeremiah F. Driscoll, District Court of Holyoke, effective May 1, 1978.

Laurellen Foster, Essex Juvenile Court, effective April 17, 1978.

Gerarda M. Fulham, Superior Court for Barnstable County, effective March 27, 1978.

Nicholas J. Ricciuti, Middlesex Juvenile Probation District, effective May 1, 1978.

Daniel M. Henderson, Boston Municipal Court, effective April 11, 1978.

David J. Lehan, Chief Probation Officer, District Court of Natick, effective May 8, 1978.

Edward P. Madaus, Worcester Juvenile Court, effective March 31, 1978.

Shirley Markland, District Court of Central Middlesex, Concord, effective February 14, 1978.

Robert E. Tierney, Boston Municipal Court, effective April 11, 1978.

Nicholas Trifone, District Court of East Norfolk, Quincy, effective March 4, 1978.

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STAFF DEVELOPMENT UNIT COMPLETES TRAINING PROGRAMS

The Staff Development Unit of the Office of the Commissioner of Probation has recently completed training for Local Trainers and Management Training.

On April 10, 11, 12, 1978, twenty (20) new local trainers attended a workshop at the Holiday Inn in Framingham. These new local trainers bring the total of assistant chief and probation officers who are performing local training functions to 82 throughout the service.

The first management training program planned for 1978 was conducted from May 1-5, 1978 at the Colonial Hilton in Northampton. Thirty-two chiefs and assistant chiefs attended this workshop which was under the leadership of Donald Cochran, Assistant Director of Staff Development. A second Management Training Workshop following the same format was held at the Colonial Hilton in Northampton from June 26-30, 1978.

Other programs conducted by the Staff Development Unit included a two-week orientation program for newly appointed district and juvenile probation officers held at the Espousal Center in Waltham from June 5-15, 1978 (weekend excluded). Also, in conjunction with the Juvenile Probation Training Committee, a series of four regionally located workshops on psychological testing and interpretation was held on May 25, 31, June 1 and June 6, 1978. Dr. Leo Polizoti conducted these workshops.

MANAGEMENT TRAINING WORKSHOP EMPHASIZES SITUATIONAL LEADERSHIP

Thirty-seven probation officers, primarily chiefs and assistant chiefs, were among the participants in a management training workshop held May 1-5, 1978 at the Colonial Hilton Hotel in Northampton. The workshop was conducted by Donald Cochran, Assistant Director of the Commissioner's Staff Development Unit.

Cochran emphasized that the management styles of an administrator should vary according to the motivation and ability of those supervised. Whereas previous one-dimensional management theories stipulated that a particular style was the correct approach, situational leadership, developed by behavioral scientists Paul Hersey and Kenneth Blanchard, stresses the adaptability of supervision styles.

The two key elements in a management style are task behavior and relationship behavior. Task behavior is the extent to which the supervisor engages in one-way communication with the person being supervised, explaining what, when, where, and how specific tasks are to be accomplished. Relationship behavior is the extent to which a supervisor engages in two-way communication by providing socio-emotional support, "Psychological strokes" and facilitative behavior.

The emphasis in the workshop was on improving diagnostic skills of participants through practice sessions to enable them to carry out more effectively the management functions of planning, organizing, controlling and motivating employees.

The workshop highlighted the fact that a successful leader has to develop a style of management that contains a wide range of flexibility and adaptability, in addition to the diagnostic and problem solving skills that will lead to the proper application of behavior to the appropriate situation.

Considerable time was spent during the workshop on making use of training exercises and case studies that were intended to expand the participants' ability to adjust their own leadership behavior and emphasize, as needed, the proper balance between task and relationship behavior.

The sessions were extremely valuable, was the response of many participants. "It pinpointed some of my own professional strengths and weaknesses and offered me help in overcoming those weaknesses while capitalizing on strengths," said Barbara Pietraszek, Assistant Chief Probation Officer in the Essex Probate Court. John McGonigle, Assistant Chief Probation Officer in the Cambridge District Court thought that "in certain instances it has made you look at situations differently." The training has been useful to him in the supervision of cases as well as within the office itself.

Additional management training will be provided for those who have not attended. A one-week session was held on June 26-30 at the same Northampton location. Those who attended the May session included the following:

Name	Court
John A. Allen	Holyoke District
Robert C. Anderson	Worcester Probate
Barbara Boucher	Off. of Commissioner
Gerald T. Bowler	Chicopee District
William H. Burke	Northampton District
Robert H. Carper	Palmer District
John J. Carroll	Attleboro District
Omer J. Cormier	Gardner District
Carl J. Cruz	Bristol Probate
Alfred J. Ferrari	Cambridge District
John J. Fleming	Middlesex Superior
Michael Hutner	Off. of Commissioner
H. James Kazeniac	Ayer District
Kenneth G. Lehane	Suffolk Superior
John P. McGonigle	Cambridge District
Anne M. McGovern	Wrentham District
Edith V. Mace	West Roxbury Municipal
James A. Magnan	Parole Program
Carmen Massimiano	Berkshire Superior
Robert H. Melle	Pittsfield District
Joseph M. O'Reilly	Boston Juvenile
Barbara Pietraszek	Essex Probate
Joan M. Rahavy	Middlesex Probate
David R. Ricard	Hampden Probate
Elaine M. Riley	Waltham District
William R. Rourke	Worcester Probate
Mora E. Schomer	Middlesex Juv. Dist.
Eugene M. Sheehan	Northampton District
Joseph J. Toole	Hampden Probate
Drew Zabriskie	Newburyport District

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MASS. J6.3: Vol.13/No.3

MASSACHUSETTS PROBATION

JOURNAL FROM THE OFFICE OF THE COMMISSIONER OF PROBATION

Volume 13 Number 3 September 1978

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PROBATION - FIFTY YEARS AGO

In 1978, the Probation Centennial Year, it may be useful as well as interesting, to take a nostalgic look at the probation concept as it was articulated in 1929, midpoint in the history of probation, by the then Commissioner of Probation, Herbert C. Parsons. Commissioner Parsons' remarks follow:

There are two features of probation, outside its legal foundation, beyond its historical development and even beyond the present organization, which I desire to present. *These features are, first, the significance of probation and, second, its possibilities.*

Before we touch on the significance of probation, it seems necessary to clear away some of the rubbish that lies in the path. *We need to clear our minds of the notion that everyone who gets into court is a criminal.* If such were the case, we should be drifting rapidly toward a criminal population, for a large portion of the population sooner or later gets into the courts, certainly when it includes all the automobile offenders. We have a daily average of 650 persons in the criminal courts. We don't develop 650 criminals a day in Massachusetts. It is safe to say that in 90 percent of these persons there is no essential criminality. Hence we have had to come, by some process or other, to deal with them on the basis of their personality or circumstances, rather than on the hypothesis that all men who break the law are criminals.

Another bit of rubbish to be disposed of is that probation is a form of leniency. Probation is not an alternative to penalty. It is a device by which the court may carry along its care of the individual with a view solely to rectifying that person's conduct without visiting any penalty upon him; or, if a penalty is named, suspending the putting of that penalty into effect.

Another misconception is that probation applies to every situation. There are offenses, not by reason of their name, but of their kind and nature, which demonstrate such a criminal design on the part of the offender that they fall outside the scope of probation. The device was never intended for burglars or professional pickpockets or for any of those persons who resort to crime as a business. The name of the crime, however, is not significant as to the criminality of the person. You say "burglar" and can not think the burglar could be put on probation. Let me tell you of one who was.

There was a great deal of excitement in one of our mill cities over a rapid

PARSONS cont. p. 2

Anna T. Cronin, Editor

The bulletin is published quarterly for the information of the Probation Service, the Judiciary, and the interested public. Correspondence should be sent to: Editor, Room 206, New Court House, Boston, MA 02108.

Publication Number: 6351

Approved by Alfred C. Holland
State Purchasing Agent

PARSONS cont. fr. p. 1

succession of burglaries. They were evidently the work of the same burglar or gang of burglars. Finally, the gang, proving to be one person, was taken red-handed. It was an 18-year-old boy, living in the town, of a pretty good family, having no excuse for burglary so far as any reward to himself was concerned. The court hesitated to deal with him as a professional or even a semi-professional burglar. It sought to find out what impelled this boy to commit a succession of burglaries. It found out. He was a wild west enthusiast. He read all the wild west books, attended all the wild west movies. Looking about the city in which he lived, he found nothing resembling the wild west and resorted to the nearest replica he could find.

When it was discovered what was at the bottom of his unlawful performance, it was decided that the remedy was the wild west. Through the relationship which exists between the probation service in Massachusetts and in other states, he was placed under control of an officer in a western state. He was given the task of driving a transfer team through the "Bad Lands." He made his place in life out there and sent money for his family to come and enjoy the wild west with him.

Here were all the possibilities of making a real burglar, by putting him through the classical process of sending him to an institution to mingle with more highly developed burglars, destroying his self-respect and giving him time to think up what excitement he could get when set free.

Again the shoplifter is a problem to the courts and the police. One day in my office four women assembled, a mother and three daughters, all of them shoplifters; the mother refined, in middle age; the daughters, 21, 19, and 16 years of age. They were all doing housework, each one in a separate household. It appeared that one of the older girls on a cold winter's day saw a chance to get away with a muff in a department store. When the four next gathered together, this girl's exploit stood out as an heroic adventure. It was decided that if muffs were as easily gotten as that, they would all get one. The four came into Boston, went into the same store and each took a muff. One of them, finding the capture so easy, tucked a pink silk shirt waist into her muff, leaving one sleeve hanging out.

It did not take a Sherlock Holmes to discover that here were four shoplifters. They were all arrested. The employers of all four appeared in court and expressed perfect confidence in them and a willingness to continue them in their employ. They were placed on probation. The purpose of the conference in my office was to consider their request to go back to their home in Prince Edward Island. Their wish was granted and later reports showed that their neighbors, though aware of their exploit, gave them an appreciative welcome and that they had not since offended. You can gather the importance of dealing with this sort of person otherwise than by a rule based on the name of the offense.

One other bit of rubbish is that the device applies only to minor offenses. There is nothing in the law that puts such a limitation upon it; nothing in practise that justifies it. Any probation officer will testify that many of his great successes have been with serious offenders, that the most exasperating cases are those that get into court over and over again for petty offenses. In the case of the person who has committed a serious crime, the act may have been an outstanding event in his life, not denoting any developed criminal intent. Here may be the greatest opportunity for the rectification of some one's life.

As to the significance of probation, first of all it was a revolt against the rigidities and outrages of the old criminal law. It was an expression of the humane sentiment which markedly developed just in the period when this idea of reforming the criminal took its first steps. It was also a revolt against the institution idea. We had a notion not so long

PARSONS cont. p. 8

CHANGE OF PERSONNEL

DESIGNATIONS OF CHIEF PROBATION OFFICER

Thomas G. Cavanaugh, Southern Norfolk Division of the District Court Department, Stoughton, effective June 30, 1978.

Paul R. Collins, Acting, Southern Berkshire Division of the District Court Department, Great Barrington, effective August 1, 1978.

Omer J. Cormier, Acting, First Northern Worcester Division of the District Court Department, Gardner, effective July 1, 1978.

T. William Lewis, Acting, Northern Berkshire Division of the District Court Department, North Adams, effective July 24, 1978.

Robert P. Ryan, Acting, Holyoke Division of the District Court Department, effective July 1, 1978.

John S. Tobin, Acting, Boston Division of the District Court Department, effective August 14, 1978.

DESIGNATION AS FIRST ASSISTANT CHIEF PROBATION OFFICER

Matthew C. Regan, Acting, Boston Division of the District Court Department, effective August 25, 1978.

DESIGNATIONS AS ASSISTANT CHIEF PROBATION OFFICER

Brian F. Belliveau, Acting, First Northern Worcester Division of the District Court Department, Gardner, effective July 1, 1978.

Brian A. Callery, Acting, Dorchester Division of the District Court Department, effective May 17, 1978.

Daniel M. Crane, Brighton Division of the District Court Department, effective May 17, 1978.

Carl J. Cruz, Acting, Bristol Division of the Probate Court Department, effective July 3, 1978.

Paula Fitzsimmons, Southern Norfolk Division of the District Court Department, Stoughton, effective June 30, 1978.

Paul E. McDonald, Acting, Franklin Division of the District Court Department, Greenfield, effective July 1, 1978.

Anne M. McGovern, Acting, Western Norfolk Division of the District Court Department, Wrentham, effective July 5, 1978.

PERMANENT APPOINTMENTS

Nancy A. Bartley, Eastern Hampden Division of the District Court Deparment, Palmer, effective July 1, 1978.

Michael Baldassare, transfer from the Suffolk Division to the Plymouth Division of the Superior Court Department, effective July 31, 1978.

Alan J. Becklo, 104 South Shelbourne Road, Greenfield, Franklin Division of the District Court Department, Greenfield, effective July 1, 1978, a graduate of St. Michael's College.

Anne L. Bivins, Bristol Division of the Probate Court Department, effective June 1, 1978.

John F. Busalacchi, Third Eastern Middlesex Division of the District Court Department, Cambridge, effective July 17, 1978.

Patricia A. Cawley, Third Eastern Middlesex Division of the District Court Department, Cambridge, effective July 17, 1978.

Paul J. Chebator, Second Barnstable Division of the District Court Department, Orleans, effective May 1, 1978.

PERSONNEL cont. p. 4

PERSONNEL cont. fr. 3

Joseph H. Cody, transfer from the Suffolk Division to the Norfolk Division of the Superior Court Department, effective July 31, 1978.

George E. Delaney, transfer from the Middlesex Division to the Barnstable Division of the Superior Court Department, effective July 31, 1978.

William P. Dever, transfer from the Southern Middlesex Division of the District Court Department, Framingham, to the Roxbury Division of the District Court Department, effective June 7, 1978.

Robert J. Donahue, Newburyport Division of the District Court Department, effective August 15, 1978.

Marie Duffy, Essex Division of the Probate Court Department, effective July 13, 1978.

William P. Farrell, Hampden Division of the Probate Court Department, effective July 17, 1978.

Paul A. Fernandes, Essex Division of the Probate Court Department, effective July 13, 1978.

Amy Jo Freedman, 131 Woodbine Circle, Needham, Boston Division of the Juvenile Court Department, effective May 3, 1978, a graduate of Clark University.

Thomas E. Gadles, Second Plymouth Division of the District Court Department, Hingham, effective June 22, 1978.

Richard J. Gorman, 111 Perkins Street, Boston,Roxbury Division of the District Court Department, effective April 6, 1978.

Stephen T. Greaney, Worcester Division of the Probate Court Department, effective June 12, 1978.

Robert G. Irvine, Essex Division of the Probate Court Department, effective July 13, 1978.

Herbert E. Johnson, Suffolk Division of the Probate Court Department, effective July 23, 1978.

Mark D. Juknavorian, Essex Division of the Probate Court Department, effective July 13, 1978.

Henry L. Keith, Worcester Division of the Juvenile Court Department, effective June 1, 1978.

John E. Kenney, Brockton Division of the District Court Department, effective June 12, 1978.

Terell J. Kiley, Fourth Bristol Division of the District Court Department, Attleboro, effective July 10, 1978.

Ronald W. King, Worcester Division of the Probate Court Department, effective June 1, 1978.

Charles J. McCarthy, 7 Iroquois Street, Roxbury, Boston Division of the Juvenile Court Department, effective May 10, 1978, a graduate of Boston State College.

Robert G. McDonough, 95 St. Agatha Road, Milton, Roxbury Division of the District Court Department, effective May 3, 1978, a graduate of Westfield State College.

Henry A. Moran, Hampden Division of the Probate Court Department, effective July 17, 1978.

Kathleen M. Nelligan, Essex Division of the Probate Court Department, effective July 13, 1978.

John F. Nestor, Essex Division of the Probate Court Department, effective July 13, 1978.

David Noonan, 77 Child Street, Jamaica Plain, Brighton Division of the District Court Department, effective May 10, 1978, a graduate of Boston State College.

Robert A. O'Connell, Fourth Bristol Division of the District Court Department, Attleboro, effective July 9, 1978.

Stephen B. Patten, Suffolk Division of the Probate Court Department, effective August 21, 1978.

PERSONNEL cont. p. 6

COURT APPEARANCES BY FEMALE JUVENILES ON THE UPSWING

Since 1924, court appearances by defendants in Massachusetts courts have been recorded on a statewide basis by the Office of the Commissioner of Probation. Criminal and delinquent court record information is received daily in the Office of the Commissioner where all cases are counted by court and where delinquent record information is further categorized by sex.

In July, the number of such records received during the six-month period, January 1, 1977 - June 30, 1977 was compared to the number of records received during the six-month period, January 1, 1978 - June 30, 1978. Two facts of significance emerged. One, the number of Massachusetts court appearances which were reported to the Office of the Commissioner in the first six months of 1978 showed a drop in the number of criminal (adult)(17+yrs) records received; and two, the number of delinquent court appearances (7-16 yrs) showed a sharp increase, due almost entirely to the increased number of court appearances by female delinquent defendants.

Reasons for this seemingly paradoxical condition could vary. The decrease in adult records received may be due to incomplete or late reporting, particularly as applied to minor traffic cases. Persons over 17 years comprise over 98% of this group of offenders. Traffic violations have tended to be seasonal in the past, peaking in August, during the height of summer, and then slowly dipping until the following March or April, with a brief upsurge during the Christmas holidays. Further study will be done on this aspect of the records received.

TABLE I. - CRIMINAL (ADULT) RECORDS RECEIVED

Jan. 1, 1977 - June 30, 1977	182,330
Jan. 1, 1978 - June 30, 1978	171,135
Net Loss -	11,195 (6%)

The second and most surprising finding to emerge from the brief study, was the increase in the number of female juveniles appearing before the courts. Statewide, there was an increase of 14.8% in the first half of 1978 over the first half of 1977. The number of male juveniles for the same period remained stable, varying less than one percent from the figures of 1977.

TABLE II. - DELINQUENT (JUVENILE) RECORDS RECEIVED

Male

Jan.1,1977 - Jn 30, 1977	9,960
Jan.1,1978 - Jn 30, 1978	10,033
Net Gain +	73 (.7%)

Female

Jan.1,1977 - Jn 30, 1977	1,596
Jan.1,1978 - Jn 30, 1978	1,833
Net Gain +	237 (14.8%)

Philosophically, it is possible to point to many reasons for the increase in female delinquency. The worldwide women's movement, resulting in a greater degree of freedom and mobility for women in general, apparently has broadened, for young teen-age girls, the scope and opportunity for engaging in delinquent acts. At the same time, feminine demands for equality appear to have affected both the quality and the quantity of law enforcement as applied to female juveniles, so that, more and more, they are being charged on the same level as male juveniles. Protective attitudes, which previously saw many females being admonished rather than charged, appear to be evaporating.

On a pragmatic level, informed opinion points to the disheartening lack of treatment facilities available to females. Treatment for male juveniles is

FEMALES cont. p. 10

PERSONNEL cont. fr. p. 4

William A. Pepka, Worcester Division of the Probate Court Department, effective July 3, 1978.

Edward Pina, Roxbury Division of the District Court Department, effective May 11, 1978.

Linda Romano, 425 North Street, Randolph, Boston Division of the Juvenile Court Department, effective May 10, 1978, a graduate of the University of Massachusetts.

John M. Tannella, 432 Southwick Road, Westfield, Chicopee Division of the District Court Department, effective July 1, 1978, a graduate of Kansas Wesleyan University with an M.P.S. from C.W. Post University.

Richard J. Wright, Third Eastern Middlesex Division of the District Court Department, Cambridge, effective July 17, 1978.

TEMPORARY APPOINTMENTS

James A. Adams, 29 Mascot Street, Boston, Dorchester Division of the District Court Department, effective June 14, 1978, a graduate of Brandeis University.

Vito J. Aluia, 126 Prince Street, Boston, Chelsea Division of the District Court Department, effective June 14, 1978, a graduate of Suffolk University.

Lillian Amaru, 200 Edge Hill Road, Milton, Western Norfolk Division of the District Court Department, Wrentham, effective July 5, 1978, a graduate of Boston College.

Thelma V. Bolling, 241 Fernbank Road, Springfield, Hampden Division of the Superior Court Department, effective May 15, 1978, a graduate of the University of Massachusetts.

Nancy J. Boyd, 3 Summer Street, Quincy, Barnstable, Bristol, Dukes and Nantucket Division of the Superior Court Department, effective July 24, 1978, a graduate of Boston State College with an M.A. from Central Michigan University.

Joseph P. Brien, Jr., 10 Maple Avenue, Scituate, Norfolk Division of the Superior Court Department, effective July 17, 1978, a graduate of Boston State College with an M.A. from the same school.

Kevin J. Calnan, 10 Southside Avenue, Lynn, Southern Essex Division of the District Court Department, Lynn, effective May 30, 1978, a graduate of Boston College.

Richard T. Carey, 395 Lovell Street, Worcester, First Northern Worcester Division of the District Court Department, Gardner, effective July 24, 1978, a graduate of St. John's Seminary.

Joyce E. Coleman, 5 Walden Square Road, Cambridge, Middlesex Division of the Superior Court Department, effective July 17, 1978, a graduate of Wheelock College.

Henry DeLeon, 185 Green Street, Jamaica Plain, Suffolk Division of the Superior Court Department, effective August 1, 1978, a graduate of Brandeis University with an M.F.A. from the same school.

Joseph W. Dooley, 206 School Street, Taunton, Barnstable, Bristol, Dukes and Nantucket Division of the Superior Court Department, effective July 24, 1978, a graduate of Stonehill College.

Samuel Feliciano, 43 Riverglade Apts., Amherst, Hampden Division of the Superior Court Department, effective July 21, 1978, a graduate of the University of Massachusetts.

Jane Goodwin, 7 Andrews Lane, Amesbury, Essex Division of the Superior Court Department, effective July 17, 1978, a graduate of Springfield College with an M.A.T. from Salem State College.

Peter A. Grunebaum, 39 Venner Road, Arlington, Middlesex Division of the Superior Court Department, effective July 17, 1978, a graduate of Brandeis University.

Richard J. Heaphy, 1 Green Street, Marblehead, Essex Division of the Superior Court Department, effective July 17, 1978, a graduate of Salem State College.

PERSONNEL cont. p. 7

PERSONNEL cont. fr. p. 6

Anthony M. Iacozza, 55 Mayflower Ridge Drive, Wareham, Barnstable, Bristol, Dukes and Nantucket Division of the Superior Court Department, effective July 24, 1978, a graduate of Boston University.

Kathleen Johnson, 282 Boylston Street, Brockton, Plymouth Division of the Superior Court Department, effective July 31, 1978, a graduate of Annhurst College.

Lee G. Johnson, 37 Cherry Street, Everett, Middlesex Division of the Superior Court Department, effective July 17, 1978, a graduate of the University of Massachusetts.

Katherine M. Kane, 8 Lindall Street, Roslindale, Roxbury Division of the District Court Department, effective July 5, 1978, a graduate of Boston State College.

James D. Kent, 5 Cross Street, Charlestown, Dorchester Division of the District Court Department, effective May 17, 1978, a graduate of Boston State College.

Christina M. Kerr, 21B Cypress Street, Brookline, Roxbury Division of the District Court Department, effective July 5, 1978, a graduate of Boston State College.

William P. Kilroy, 15 Cedarcrest Lane, West Roxbury, Boston Division of the Juvenile Court Department, effective May 17, 1978, a graduate of Boston College.

Patrick J. King, 1095 Morton Street, Dorchester, Boston Division of the Juvenile Court Department, effective July 5, 1978, a graduate of the University of Massachusetts.

Michael L. Koperniak, 55 North Summer Street, Adams, Berkshire Division of the Superior Court Department, effective July 17, 1978, a graduate of the University of Massachusetts.

Robert P. Manion, 8 Glendale Road, Milton, Dorchester Division of the District Court Department, effective May 17, 1978, a graduate of Suffolk University.

William D. Manning, 739 Bennington Street, East Boston, Dorchester Division of the District Court Department, effective July 19, 1978, a graduate of Boston College.

Peter J. Mazzapica, 20 Leicester Street, Brighton, Roxbury Division of the District Court Department, effective May 17, 1978, a graduate of the University of Massachusetts.

Ann Marie McDonough, 823 East 3rd Street, South Boston, Dorchester Division of the District Court Department, effective May 17, 1978, a graduate of the University of Massachusetts.

Eugene P. O'Brien, 11 Standish Road, Milton, Dorchester Division of the District Court Department, effective May 17, 1978, a graduate of Boston College.

Cynthia P. Pitts, 95 Deering Road, Mattapan, Roxbury Division of the District Court Department, effective May 17, 1978, a graduate of Northeastern University with a M.Ed. from the same school.

James A. Prevost, 141 Florence Street, Springfield, Hampden Division of the Superior Court Department, effective July 21, 1978, a graduate of American International College.

Edward J. Rideout, 83 Central Avenue, Everett, Middlesex Division of the Superior Court Department, effective July 17, 1978, a graduate of Boston College.

Pamela N. Rosengard, 65 India Street, Boston, Roxbury Division of the District Court Department, effective July 5, 1978, a graduate of Tufts University.

J. Robert Smith, 107 Bristol Avenue, Hyannis, First Barnstable Division of the District Court Department, Barnstable, effective July 6, 1978, a graduate of Salem State College.

Elizabeth Sparks, 22 Orkney Road, Brighton, Boston Division of the Juvenile Court, effective June 28, 1978, a graduate of Wellesley College with a M.Ed. from Columbia University.

Richard J. Sperazzo, 11 Gorham Avenue, Stoneham, Northern Middlesex Division of the District Court Department, Ayer, effective August 1, 1978, a graduate of Ithaca College.

PERSONNEL cont. p. 9

PARSONS cont. fr. p. 2

ago that however we were going to deal with an individual we had first to put him into an institution, not only the criminal but the person who was a bit off his mental balance. Indeed, if he was just poor, we put him into an institution. The almshouses in 1821 had several hundred children mingled with the feebleminded, the shiftless, the degenerate, even the insane. We have a right, as citizens of Massachusetts to a great satisfaction that there is not a publicly supported orphanage in the state, that children over certain tender age cannot be sent to an almshouse. We deal with our dependents out of doors; in foster homes; in their own homes, by the last refinement in our dependency laws, the mother's aid law.

Of the greatest importance is the fact that probation is the outstanding demonstration of individualization in dealing with the offender. We cannot put too much emphasis upon this distinction. When we were dealing with the offender simply by arrival at what offense he had committed, it was easy enough to look into the statute book and find the penalty provided for that particular offense. We dealt with him in a system of routine which did not take into account that we were dealing with an individual life. Individualization has come to be the very essence of modern criminology. Probation came as one of the first demonstrations of this dawning of individualization. The denial of individuality which had marked our treatment of criminals in the past was cast aside in order that the judge might know about the person with whom he was dealing, and then deal with him precisely as the physician deals with his patient after diagnosis.

Individualization has two sides. The first is as to the person's responsibility. The keenest students in the field of criminology are putting the emphasis on the word "responsibility." This attitude has not affected the person's legal guilt thus far. The probation officer, who represents the individualization of the work, has no voice until after the question of guilt has been decided, but we are beginning to think somewhat about the individual, - guilty or not, we want to know what is his degree of responsibility.

Far back in history, we punished the insane as we did the sane. We departed from holding an insane person accountable, but we have not gone so far as to say the feebleminded person is irresponsible. Recently, in the Superior Court in Massachusetts, evidence as to the mental defectiveness of a person charged with murder was barred on the issue presented to the jury, of guilt or innocence. Beyond the determination of guilt, we open the gates wide for the consideration of the individual in deciding the penalty. Anywhere in Massachusetts it is possible for a judge to have expert advice on the mental responsibility of a person. Here individualization has gone far, but we still cannot think of individualizing certain extreme offenders. We might revolt in theory against the execution of a distinctly feeble-minded person, but we do send mentally defective murderers to the chair. The situation is, however, that in the determination of treatment we are to a great extent individualizing.

Those who are concerned with probation in an official way realize that we have not gone to the extent of its possibilities. Look at the problem the probation officer has today. Suppose tomorrow morning you awoke with the realization that there were in your care, placed there by the court with the expectation that you would hold them to the right line of conduct, 350 convicted persons. There are in that group 175 men, 25 women, 125 boys and 25 girls.

It is not only that probation officers are overloaded with the number of cases they must carry, but that the courts fall into a certain routine of disposition of cases. The same sort of persons, or looking like the same sort, committing the same sort, or similar sort of offenses, are given probation. In the case of a juvenile, probation is pretty surely given the first, time and quite likely the second, third or fourth time; and when the failure is complete, he is sent to an institution. There are cases where probation should be re-

PARSONS cont. p. 10

PERSONNEL cont. fr. p. 7

Dorothy Steward, 41 Bowdoin Avenue, Dorchester, Roxbury Division of the District Court Department, effective July 5, 1978, a graduate of Boston University.

David R. Sullivan, 931 South Street, Roslindale, Suffolk Division of the Superior Court Department, effective July 17, 1978, a graduate of Suffolk University.

Eileen Torchio, 332 William Street, Pittsfield, Franklin Division of the Superior Court Department, effective August 7, 1978, a graduate of the University of Massachusetts.

Elba Vargas, 62 Chandler Street, Boston, Roxbury Division of the District Court Department, effective May 31, 1978, a graduate of Finch College, New York.

Adita Vasquez, 879 Beacon Street, Boston, West Roxbury Division of the District Court Department, effective July 5, 1978, a graduate of Boston University.

Rosalyn J. Williams, 177 Fuller Street, Brookline, Suffolk Division of the Superior Court Department, effective July 17, 1978, a graduate of Northeastern University.

Patricia A. Wynn, 11A Castle Court, Boston, Dorchester Division of the District Court Department, effective July 19, 1978, a graduate of Princeton University.

LEAVE OF ABSENCE

Diane Barrett, Chelsea Division of the District Court Department, effective July 19, 1978.

Edward P. Dalton, Norfolk Division of the Superior Court Department, effective July 15, 1978.

John T. Driscoll, Brighton Division of District Court Department, effective September 1, 1978.

Delbert A. Greenwood, Chief Probation Officer, First Northern Worcester Division of the District Court Department, Gardner, effective July 1, 1978.

Mary Ellen Saracco, Hampden Division of the Superior Court Department, effective September 1, 1978.

Mark D. Trottier, Fourth Berkshire Division of the District Court Department, Adams, effective July 24, 1978.

RETURNED FROM LEAVE

Timothy J. Kelliher, Third Eastern Middlesex Division of the District Court Department, Cambridge, effective June 12, 1978.

Robert M. Madigan, Middlesex Probation Division of the Juvenile Court Department, effective July 1, 1978.

RESIGNED

William T. Ahern, Assistant Chief Probation Officer, Boston Division of the Juvenile Court Department, effective May 10, 1978.

Michael J. Coyne, Dorchester Division of the District Court Department, effective May 9, 1978.

Francis J. Coughlin, Dorchester Division of the District Court Department, effective August 1, 1978.

Nicholas Finke, Middlesex Division of the Probate Court Department, effective May 24, 1978.

Paul R. Robichaud, Probation Officer-in-Charge, Eastern Franklin Division of the District Court Department, Orange, effective July 13, 1978.

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MJPOA SEEKS MEMBERS

Lt. Edward Marchand, president of the Massachusetts Juvenile Police Officers Association (MJPOA), has invited all probation officers to become members of that organization. Luncheon meetings are held monthly at various locations throughout the Commonwealth; annual dues are $5.00. All probation officers interested in joining are invited to attend the next meeting to be held October 12 at 12 noon in Cambridge (place to be announced). Membership blanks will be available. Reservations should be made no later than October 6, 1978 by calling Insp. William Mahoney at 617-484-1212.

PARSONS cont. fr. p. 8

peated several times. There are cases where the person should be sent to an institution at the very first, where the needed thing cannot be done by any other process.

Fixed rules are again open to objection when they apply to the length of probation, - six months, a year, two years and, in the case of non-supporters, six years, determined at the very outset. It is almost as illogical to say how long a person shall stay on probation as to say how long he shall be locked up. There must, of course, be termination of probation out of respect to the right of final disposition, but it should be an elastic process, as it may be through the power of the court to extend it from time to time or to end it any time. A brief period of observation may make it clear that continued supervision is needless, while in another case the end is to be secured only by sustained and continued effort.

As to any form of dealing with the offender, the great hope of future development is in avoidance of routine, in dealing with the individual according to his needs, utilizing the services of social workers, investigators, psychiatrists and all the rest who can help toward understanding him. The conditions under which we deal with the offender are largely fixed by public sentiment, so that we have to modify our treatment along the old lines still. We cannot make radical departure, but we are going to see in the development of probation a keener search for the factors that lie behind each individual appearance in court, - a higher degree of specialization, inquiry and search in order to deal with the person intelligently.

To me it seems that probation holds out in the very nature of its service the brightest promise of advance. It is the treasure house of a vital principle, the custodian of a great truth; namely that along the line of salvage, of restoration, of individual understanding and treatment lies the way of progress. It stands now at the foreground in the hopeful program of dealing with the problem of the person who violates our laws.

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FEMALES cont. fr. p. 5

there, but for females, the situation is what one probation officer calls "sad." Consequently many girls appear to be returning to the street or going "on the run" before there is any chance of rehabilitative treatment or counselling being given to them. Since a number of the youngsters have emotional problems, it is felt, in some quarters, that a minimal number of secure facilities for girls would be advisable to allow for a mandatory period of counselling, at the very least.

By far the most common offense (50%) committed by the girls is larceny of less than one hundred dollars. In most instances, this translates into shoplifting. According to some court sources, store owners apparently are trying to discourage this type of crime by prosecuting a theft as low as ninety-eight cents. It is undetermined whether the thefts occur because of genuine physical need (hunger, clothes for female runaways) or because of a desire for material possessions which the youngsters see no way of obtaining by legitimate means and which they feel should be theirs.

Two more offenses, using an automobile without authority (15%) and assault and battery (8%) account for 23% of the remainder of offenses generally committed by female juveniles. The comparatively high incidence of these two offenses which are generally thought of as "male" offenses seems to be supportive of the previously stated possible cause of increased female delinquency - desire for greater mobility and freedom.

Contrary to some spectacular magazine stories, prostitution and drugs played an extremely minimal part in the court appearances of this age group.

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MASS. J6.3: Vol. 13/No. 4

MASSACHUSETTS PROBATION

JOURNAL FROM THE OFFICE OF THE COMMISSIONER OF PROBATION

Volume 13, Number 4 December, 1978

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PROBATION CENTENNIAL CONFERENCE

The 100th anniversary of the founding of Probation was celebrated at Dunfey's Resort in Hyannis November 15-16, 1978, at the annual Probation Conference.

Over 500 probation officers, judicial, community and agency representatives were in attendance. Clerical staff people were invited to the conference, and over 100 attended the special clerical workshops integrated into the conference schedule. Conference participants represented nearly every court in the Commonwealth.

For anyone who was unable to attend the conference, a limited number of Centennial Commemorative Programs are available from the Commissioner's Office.

To mark the milestone event, each Probation Office was presented with a wall plaque of the original 1878 statute authorizing probation.

Among the dignitaries speaking at the Conference were: Chief Administrative Justice of the Trial Court, Arthur M. Mason; Chief Justice, Supreme Judicial Court, Edward F. Hennessey; Probation Commissioner Joseph P. Foley; Milton G. Rector, President of the National Council on Crime and Delinquency, and Alvin W. Cohn, President, Administration of Justice Services.

Jack C. Burton, Probation Officer in Charge, Edgartown Division of the District Court Department, was Conference Chairperson; Patricia McCarthy, Probation Officer, Middlesex Division of the Superior Court Department, served as Assistant Chairperson.

MESSAGE FROM THE COMMISSIONER

During this holiday season, I am pleased to reflect on the splendid cooperation and support which I have received during the last year from the Probation Offices across the Commonwealth.

Thank you for your assistance and dedication, as we cooperatively develop new directions for Probation.

To each of you, I wish a happy holiday season ... and best wishes for a happy, productive new year.

JOSEPH P. FOLEY
COMMISSIONER OF PROBATION

Editor: Marjorie Brown Roy

Published quarterly for the Probation Service, the judiciary and the interested public. Editor, Room 206, New Court House, Boston, MA. 02108. Publication Number 6351. Approved by Alfred C. Holland, State Purchasing Agent.

ACCREDITATION COMMISSION CONVENES

Commissioner Joseph P. Foley recently appointed a 7-member Mass. Probation Commission, and they convened in October to being the accreditation project.

The Commission is currently in the process of hiring an executive secretary, who will manage the office and oversee the accreditation process. The exectuve secretary will be on board by mid-January, 1979.

They are also in the process of establishing an office; the address will be announced when the location is finalized.

Accreditation gives recognition to those offices that have met certain criteria and as such promotes and upgrades services delivered by probation. Massachusetts is the first state in the nation to develop a plan to accredit its probation offices.

Several offices have already expressed interest in participating in the accreditation process, which is voluntary.

Offices will be evaluated against standards published in the "Red Book"-"An Accreditation Plan for Probation Offices in the Commonwealth of Mass., 1973". A copy was sent to every probation officer in the state.

Applications will be accepted and an orientation to the accreditation process will be given after the Executive Secretary has been hired.

Anyone with questions should contact Joan McGrath, Probation Standards Specialist, 727-8484.

WHO'S WHO ON ACCREDITATION COMMISSION

Paul McGerigle (Acting Chairperson)
Sr. Planner, United Community Planning, Boston

Nathaniel Hakim Askia
Executive Director, F.I.R.S.T.
Dorchester

Raymond Coniff
Director, Division of Probation & Parole
Augusta, Maine.

Bailey Jackson, III, Ed.D.
School of Education, University of Massachusetts, Amherst.

George McGrath
Clerk, U.S. District Court,
Boston

William Sullivan
Director, Southeast Metropolitan Regional Planning Unit, Dedham

Ruth Weisbauer
District Executive, Children's Protective Services, Worcester

1978 PROBATION AWARD WINNERS

The Probation Centennial Conference was held November 15-16, 1978 in Hyannis. Over 500 probation officers and judges were in attendance.

Presentations of special awards were given to two probation officers who have shown exemplary community, civic and social services.

The "John Augustus Award", named after the founding father of probation, was presented to GORDON J. MERCER, asst. chief probation officer, First District Court of East Middlesex, Malden.

The first annual "Francis G. Keough Award", named in honor of the late Deputy Commissioner, was presented to ANTHONY J. DiNATALE, chief probation officer, Third District Court of East Middlesex, Cambridge.

LEAA GRANT AWARD

SIX JOB OPENINGS IN OFFICE OF COMMISSIONER

The OCP has received two LEAA grants from the Mass. Committee on Criminal Justice, for Personnel Development and Organizational Development. The grants include six positions; job descriptions are listed below.

Goals of the Grant

The Personnel Development grant aims to design, standardize and upgrade probation personnel policies including: personnel recruitment and screening procedures, standards for promotion, performance appraisal system for probation personnel, and management training.

The Organizational Development grant aims to improve management and operations of probation at state and local levels, with three activity areas: management information, statewide probation client classification system, and probation field survey follow-through system.

The two grants are scheduled to run for three years, although they must be renewed annually. Interviews will take place from mid-December to early January. The positions are scheduled to begin February 1, 1979.

Interested, qualified persons should send their resumes no later than December 20, 1978. Please indicate position(s) for which you wish to be considered, and mail your resume to William W. Dow, Assistant Supervisor of Court Probation Services, Personnel Recruiting, Office of the Commissioner of Probation, Room 211, New Court House, Boston, MA 02108.

Job Descriptions

Personnel Policy Specialist: develop, implement state-wide personnel procedure for recruiting, screening, hiring, promotion, evaluation of professional staff. 5 years progressively responsible prof. experience in Human Services w/emphasis in personnel administration. Strong tech. writing skills. Masters degree pref., course work in personne admin. helpful. $20,285.

Professional Development Specialist: design & conduct staff development, training programs for CJ professionals. Demonstrated ability in curriculum technical writing, teaching, conducting adult education programs, evaluating content and effectiveness of training programs. 3 yrs. exp. conducting education & training. Masters degree in education, counseling, social services pref. $20,285.

Technical Assistance Specialist: provide on-site technical assistance enabling local human service agencies to comply with state regulations & standards. 3 yrs. prof. service exper; some exper. in management projects & to write up technical subjects relating to human services practices. Some graduate work pref. $20,285.

Management Information Specialist: design, maintain filing,coding systems for categorizing, recording data. Prepare reports re: the agency mgmt. info. system. 1-year full-time exp. in data coll. & analysis. Bachelor deg. pref. $14,480.

Administrative Assistant: performs all typing & related clerical tasks. Designs letters, forms, records, writes up meeting reports, organizes & maintains project files. Strong typing skills; shorthand, speedwriting pref. H.S. diploma required, post-graduate work beneficial. $10,992.

Administrative Secretary: proofread, type narrative material, purchase supplies, invoices, maintain filing system, telephone. Excellent reading comprehension, grammar. 50 wpm typing; shorthand, speedwriting pref. H.S. Diploma. $9,643.

COPIES OF ANNUAL REPORTS NOW AVAILABLE

Copies of the 1973-1975 and 1976-1977 issues of the Probation Annual Report are now available.

"We regret the delay in issuing the Annual Reports, but in the future they will be available on a more timely schedule," said Probation Commissioner Joseph P. Foley.

Anyone interested in obtaining a copy of either issue of the Report should contact the Research Department, 206 New Court House, Boston, 02108 (727-5307).

NEW MONTHLY REPORT FORM BEING PLANNED

The Monthly Report Form used by the District and Juvenile Courts is currently being revised.

In order to assure that consistent, accurate, meaningful data is being reported on the forms, major revision is anticipated. The new form will offer space to report 6-person jury data, as well as other information needed for evaluation and research. Detailed instructions will be provided.

Drunk Drivers Pay for Own Treatment

D.U.I.L. TO BE STUDIED

For the last few years, the criminal courts of Mass. have offered an alternative to the nearly 20,000 persons arrested annually for driving under the influence of liquor.

According to Commissioner Foley, "the 'drunk driver' can keep his driver's license by either going on probation or having his case continued without a finding. In either case, the person will not lose his license if he voluntarily enters and successfully completes an alcohol treatment program. Our objective is prevention, not just punishment."

Last year, over 17,000 drunk drivers in Mass. were either convicted or had their cases continued without a finding while they participated in a treatment program. Nearly $2,000,000 was collected from drunk drivers across the state to underwrite treatment costs.

The OCP is currently collaborating with the Dept. of Public Health, Div. of Alcoholism and the Alcohol Research and Training Center in a study of the consequences of the change in the law. The research will compare the effectiveness of placement in driver alcohol education with the previous policy under which every convicted person automatically lost his/her license. The results will be available next year.

1978 DRUG STUDIES NOW AVAILABLE

The Reseach Department conducts quartely studies of drug offenses in Massachusetts, based on court records received during four sample weeks of the calendar year.

Analysis of court records received during the week of November 13-17, 1978, shows the following:

- 55% of all drug offenders were arrested for possession, or possession with intent to distribute marijuana,
- 88% of the drug offenders were 17 years of age or older,
- 90% were male
- 31% were drug distributors, or had quantites such that they intended to distribute.

Data was also analyzed by the residence of defendants, simultaneous offenses, and drug class of drug distributors.

For a complete copy of this drug study, with a 1978 four-quarter comparison, write or call the OCP Research Department.

Excerpts from Probation Conference Speech — Alvin W. Cohn, D.Crim.

THE FAILURE OF CORRECTIONAL MANAGEMENT - REVISITED

Clarence Schrag suggested in 1971 that American justice was in a state of turmoil. Today that description is as apt as ever. The law enforcement apparatus is confronted by a quest for status marked by increasing unionization, strikes and reduction in force, while it continues to have low clearance rates, inbred infrastructures, paramilitary organizational designs, and a distinct inability among departments to accept lateral entries by experienced personnel.

Courts have clogged dockets, are managed by judges trained in law but not administration, maintain inequitable jury selection procedures, and are confronted by disparity in sentencing procedures. Prosecutors are no more able to manage their organizations than judges, frequently have excessive workloads, and occasionally are more concerned with convictions than with justice. Defense Counsel, public and private also have organizational problems, difficulty in recruiting talented staffs, and participate as much as others in the routinization of justice to the extent that injustice is more the rule than the exception. Corrections is just as much in a state of turmoil as the rest of the network of criminal justice services and begs for an equal amount of reform. Yet, reform has been piecemeal rather than systemic.

Various aspects of corrections are under attack: attacks based on ideology, such as the appropriateness of the indeterminate sentence; attacks based on rehabilitative efficacy, such as the value of counseling or treatment programs; and attacks based on organizational arrangements, such as the continuation of parole programs.

Correctional managers have failed to lead their organizations; instead, they have been mere caretakers if not sinecures, allowing others to make decisions for them. Following the rules often becomes more important than achieving goals, and organizations are run for the benefit of staff and administration rather than for the clients.

Many correctional managers either are unwilling or unable to distinguish between organizational achievement and institutional success. Organizational achievement is concerned with the processing of numbers, the counting of events, and the mere deployment of resources. Institutional success on the other hand, measures the exact degree to which the organization accomplished its mission or achieved its goals and objectives. The former permits a manager to point with pride to developments and occurrences; the latter deals directly with: "how well have we done?"

The issue of goals and objectives comes back again and again to haunt us, for this appears to be the crux of the problem: just what are the appropriate goals and objectives of a correctional organization? Most managers have not declared the goals of their organizations. In fact, many allow their staffs to drift -- to choose their own personal philosophies.

Confronted by dilemmas, problems, crises, emergencies, sabotage, political interference, and unruly clients and staffs, it is no wonder that many managers complain about not having sufficient time to plan for the future. Many claim that too much energy is needed just to maintain the present. Obviously, this stance leads to the perpetuation of the status quo. Looking to the future and planning for it is what distinguishes competency from incompetency, and being a sound manager from being only a caretaker of an organization.

If correctional managers lead instead of merely administer their agencies, we can expect more responsible participation in the correctional process not only by subordinates, but by legislators, elected officials, laymen, clients, witnesses and victims as well. For the first time, it may be possible to envision a real team effort in controlling and reducing crime. That it is likely to occur is problematic; that there are some signs of wanting it to occur is encouraging.

JUVENILE TRANSFERS TO ADULT COURT

In a recently completed study, the Research Department found that 17 juveniles were transferred to adult courts statewide during the first six months of 1978. Data is based on court records received by the OCP, January-June.

All of the 17 juveniles were male; the average age was 16. The following list reflects the type of charges that the juveniles were bound over on: murder (5%), armed robbery (38%), unarmed robbery (9%), rape (5%), kidnapping (2%), assault w/weapon (20%), assault & battery w/d/w (18%), threats (2%).

Inasmuch as 36 juveniles were transferred to adult court in 1977, the 1978 six months figure reflects a leveling of the three year downward trend. In 1976, 75 juveniles were bound over, and in 1975, 126 juveniles were transferred.

The 1978 data shows a continued trend of keeping most juvenile offenders within the juvenile court departments. A full year study will be released in early 1979.

SEALED RECORDS BROKEN FOR PAROLE BOARD

As the result of a 7/19/78 Attorney General opinion (based on the Rzeznik case) emphasizing a law enforcement agency's "need to know" as the criterion for CORI access under MGL Chap. 6, Sec. 172(a), the Parole Board, acting in its capacity as the Advisory Board of Pardon's, has asked for access to certain PCF CORI previously sealed.

The OCP has acceded to the Parole Board request provided that the Parole Board obtains from the individual petitioning for a pardon a signed affidavit acknowledging the fact that his/her sealed record will be a public record upon submission of the pardon report by the Parole Board, and shall be open to public inspection for a period of 10 years from the date the original petition was filed with the Board.

MINOR MOTOR VEHICLE OFFENDER RECORD INFORMATION

Effective January 2, 1979, minor motor vehicle offender record information will be removed from the main card file and the information transferred to microfilm.

This will clear approximately 50 percent of space in the card file, so that the court offender record information presently stored on top of the files can be integrated into the main card files.

Minor motor vehicle offender record information will not ordinarily be provided on any inquiry made by any court. In the event the information is requested by a court for a particular reason, it can be retrieved and provided.

Probation offices will no longer be required to submit minor motor vehicle offender record information to the Probation Central File (1/2/79).

CHINS RECORDS

Effective immediately, CHINS records should not be sent to the Central File.

While most courts have stopped sending CHINS records, any records which are sent will be destroyed. This procedure was enacted to protect CHINS youth from having non-criminal records included in future record checks.

DYS STUDY REVEALS 74% RECIDIVISM

OCP Research has completed a one-year follow-up of juveniles committed to DYS.

Of the 69 youths committed to DYS statewide in Sept., 1976, 38 had no prior commitment to DYS and 31 had at least one prior commitment.

Seventeen juveniles had no subsequent court appearance after one year, while 52 had one or more subsequent court appearance. This would suggest 74 percent recidivism, which is consistent with earlier Research OCP findings.

For a complete copy of the Sept., 1976 DYS Study, contact the OCP Research Department.

CHANGE OF PERSONNEL - as of Nov. 28, 1978

PERMANENT APPOINTMENTS

Essex Division of the Probate and Family Court Department --

Brian E. Monaghan - Sept. 26, 1978

Norfolk Division of the Probate and Family Court Department --

Anne L. Cremonini - July 3, 1978
John B. Jenney - July 3, 1978
Geraldine M. Healey - July 3, 1978
Stephen R. Rocco - July 3, 1978
John F. Scott - July 3, 1978
John M. Smoot - July 3, 1978
Andrew H. Sullivan - July 3, 1978
Eileen A. Sullivan - July 3, 1978

Worcester Division of the Probate and Family Court Department --

Michael J. McManus - Sept. 13, 1978

Waltham Division of the District Court Department --

Joseph Zoccola - August 1, 1978

TEMPORARY APPOINTMENTS

Hampden Division of the Probate and Family Court Department --

Arlene L. Alyehs of Haydenville, MA., a graduate of Pennsylvania State University with an M.S.W. from the Smith School of Social Work, Northampton - November 1, 1978

Dorcester Division of the District Court Department --

John R. Englebretsen of Watertown, MA., a graduate of the University of Nebraska, Omaha - Sept. 6, 1978

Roxbury Division of the District Court Department --

John W. Rourke of Brighton, MA., a graduate of Boston College - September 6, 1978

RESIGNATIONS

Dorcester Division of the District Court Department --

Marcia Flynn - October 24, 1978
Hugh Travers - September 12, 1978

South Boston Division of the District Court Department --

Robert O. Flynn - August 1, 1978

Suffolk Division of the Probate and Family Court Department --

Kathleen Redd Taylor -- October 4, 1978

LEAVE OF ABSENCE

Third Eastern Middlesex Division of the District Court Department, Cambridge --

William F. Fahey - September 18, 1978 for one year

PROBATION OFFICER VACANCIES TO BE CENTRALLY POSTED

Commissioner Joseph Foley has announced that effective immediately, all probation officer vacancies in the state will be centrally posted in the Probation Commissioner's Office.

The new clearinghouse for probation officer vacancies is part of a new posting procedure. Pursuant to the Court Reorganization Act (St.1978, c.478), job openings must be posted for at least 10 days prior to the closing. Beside the posting at the OCP (206 New Court House, Government Center), the vacancies will also be posted within the courthouse where the vacancy occur.

Job descriptions for all probation officer positions are also available at the OCP.

MANAGEMENT TRAINING WORKSHOP HELD

Twenty-seven chief probation officers and assistant chiefs participated in a management training workshop held November 6-10, 1978 at the Ramada Inn in Woburn. Three representatives from the Commissioner's Office and former Probation Commissioner C. Eliot Sands also attended the 5-day workshop.

Donald Cochran, Assistant Director of the Commissioner's Staff Development Unit led the training sessions.

The management training program emphasizes the "situational leadership" approach of behavioral scientists Paul Hersey and Kenneth Blanchard: management styles should vary according to the motivation and ability of those supervised. Numerous case studies and training exercises were offered to give probation officers an opportunity to assess their skills as flexible managers.

Training credits are given to probation officers who participate in the management training workshops. Additional workshops will be scheduled in the future.

The people listed in the column at the right participated in the recent management training program.

C. Eliot Sands	Retired Commissioner
Jocelyn Covington	Roxbury Div.,Dist.Ct.
Peggy Gassman	MA. Trial Ct. Norfolk Div. Probate
Ruth Johnson	OCP
Lucille Linton	OCP
Ciriaco Tordiglione	E.Boston Div.,Dist.Ct.
Vincent Basile	E.Boston Div.,Dist.Ct.
Abraham Bobrich	Somerville Div.,Dist.Ct.
Joseph Sullivan	Lowell Div., Dist.Ct.
Andrew Klein	Quincy Div., Dist.Ct.
George Ward	Quincy Div., Dist.Ct.
Stephen Tucker	OCP
Richard Driscoll	Haverill Div., Dist.Ct.
Richard Peterson	Fitchburg Div., Dist.Ct.
Henry Gately	Lynn Div., Dist. Ct.
Jeanne Asselin	Bristol Div., Juv.Ct.
Paula Fitzsimmons	Stoughton Div., Dist.Ct.
Robert Ramsey	Plymouth Div., Juv.Ct.
Anthony Colarossi	Cambridge Div., Dist.Ct.
Thomas Manning	Cambridge Div., Dist.Ct.
Philip Philbin	2nd E.Worcester Div.
Luis Duran	Roxbury Div., Dist.Ct.
Donald Allard	Middlesex Superior
Daniel Oliveiera	Malden Div., Dist.Ct.
Margaret Conley	Boston Municipal Ct.
Michael Walsh	Marlboro Div., Dist.Ct.
Donald Moran	Worcester Superior
Robert Pederzoli	Milford Div., Dist.Ct.
Robert Moran	Plymouth Probate
Brendan Callanan	Middlesex Probate
Bernard Chadwick	Taunton Div., Dist.,Ct.

A PROBATION CENTENNIAL REFLECTION

Jack C. Burton
Probation Officer - Dukes County Division of the District Court Department

We celebrate our past, recalling the Act of 1878 which established the first Probation Officer in Massachusetts. What began was not so much an office -- though structure gives necessary form, but rather a principal -- and the spirit of that principal unites us together with that first Probation Officer and with each other. The spirit which guides us has ancient roots. The Old Testament describes it as Chesad -- the discipline which teaches. Jeremiah the Prophet sought out the lost sheep with justice and mercy. Jesus taught us to love our neighbor. We are connected to that spirit of love. The principal is that people have worth, that we through caring, skillful counseling and use of community resources can place before persons under our supervision, the supports they may use to reform their lives. We recall in our own office, those Probation Officers who went before us, who spent their lives in service to others -- who by their example sanctified and made holy our position. We celebrate the present, and we have chosen to dedicate ourselves to the principle of bringing out the best in people. Of being compassionate, forgiving, listening, yet firm in confronting and setting limits. Our fellowship with one another and the spirit of service unites us. Now at this time, we rededicate ourselves to the 100-year old tradition of our noble profession.

MASS.J 6.3:VOL.14/NO.1

MASSACHUSETTS PROBATION

JOURNAL FROM THE OFFICE OF THE COMMISSIONER OF PROBATION

Volume 14, Number 1 March, 1979

GOVERNMENT DOCUMENTS COLLECTION

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NEW "RISK/NEED" CLASSIFICATION SYSTEM IMPLEMENTED

The 1978 Judicial Re-Organization Act, in amending General Laws, Chapter 276, Section 99, mandates the Office of the Commissioner of Probation to

> ... establish ... the standards and rules of probation work including methods and procedures of investigation, mediation, supervision, casework, record keeping, accounting, case load and case management, to be followed in the various tiers of the probation offices."

In response to this requirement, the Staff Development Unit of the Office of the Commissioner of Probation has developed a Risk/Need Classification Program to be used in the probation departments of those courts that deal with criminal and juvenile defendants.

Pilot "Risk/Need" Workshop Held

The pilot workshop for the new Risk/Need System for classifying probation clients was held February 12-14 in Hyannis. The workshop was facilitated by Donald Cochran, Supervisor of Court Probation Services.

The program aims to establish a Classification Report System that would generate significant data about the Massachusetts Probation Service clients. The system offers a method for determining what level of supervision is appropriate based on individual client's needs.

Goals are: (1) to provide a standardized format for evaluating needs of clients placed on probation; (2) to provide information regarding the action plan taken to meet the client's needs; (3) to provide information as to whether or not probation, through the individual courts, will be able to meet the needs of the clients.

Nine courts participated in the pilot training program and have implemented the new classification system. Those courts include: Suffolk Superior, Cambridge District, Peabody District, Hampden Superior, Middlesex Juvenile, Plymouth Superior, Worcester Central District, Quincy District and Taunton District.

All courts in the Commonwealth are scheduled to have representatives participate in "Risk/Need" Training Workshops during the coming year. Anyone with questions about the new classification system should contact the OCP Staff Development Unit, 727-8485.

Editor: Marjorie Brown Roy

Published quarterly for the Probation Service, the judiciary and the interested public. Editor, Room 206, New Court House, Boston, MA. 02108. Publication Number 6351. Approved by Alfred C. Holland, State Purchasing Agent.

AUTOMATION AT PROBATION CENTRAL FILE

by

Joseph P. Foley, Commissioner of Probation

The following excerpts were taken from a keynote address delivered by Commissioner Foley on December 1, 1978, before the Massachusetts Association for Professional Treatment of Offenders:

- -

Testing is presently being carried out on the Digital Equipment Corp. PDP 11/34 mini-computer at the OCP to determine which programming language will best handle the Probation Central File workload.

This automation at PCF is in the final design state. It is expected that all new arraignments occurring after the commencement of operation (possibly later this year), will be entered into the computer storage bank. In addition, any previous record on the newly arraigned person will be converted to automated form, so that complete records will be available from the computer.

Since court offender records are judicial records, they must be under judicial branch control. Hence, this mini-computer was provided by the executive branch Criminal History Systems Board so that as we enter an offender's court record in our automated file, a copy would also be transmitted over to and entered in the big Criminal Justice Information System computer at 1010 Commonwealth Avenue, Boston.

However, we have problems. The computer is inadequate even before we commence our automated file. There is no capacity in the computer for the half million or so offender records that we regard as active. We must still maintain these in a manual card file. The computer as provided to us by the Criminal Justice Information System people has two disk drives with a 2¼ year offender capacity based on entering 130,000 offenders the first year, and a bit less the second year. The computer, additionally, has no real capacity to undertake research functions for us.

Unless otherwise ordered, I do not intend to commence operations with this computer until I have a 5 to 6 year offender record capacity and some computer capability for research functions.

In the next supplementary budget, we shall put in for more disk drives in order to increase this offender record storage capacity. We shall also put in for hardware to increase the mini-computer's capability for more research functions.

However, it appears we shall be operating a microfilm file, a manual card file and a computer file -- an awkward situation.

MANAGEMENT TRAINING WORKSHOP TO BE HELD

A Probation Management Training Program will be held at the Holiday Inn in Hyannis April 23-27.

The 5-day workshop will be open to the first 32 chief and assistant chief probation officers who register. Participants will receive 30 in-service training credits.

Probation Management Training is a program designed to supply participants with both knowledge and skills in the field of management. The program brings together concepts and research from a variety of disciplines that will help probation officers make decisions about the behavior of individuals and groups of workers.

Attendance at this workshop is authorized pursuant to Mass. General Laws, Chapter 276, Sections 85, 94 and 99.

EVALUATION OF THE DANVERS "COMMUNITY ALCOHOL SAFETY PROGRAM"

by

Gary F. Cowles, Chief Probation Officer, Peabody District Court

CPO Gary Cowles prepared this research paper for part of his graduate education at Salem State College. Excerpts of his findings are included in this article.

This study was done in 1975 and consisted of telephone interviews with 157 clients who had completed the CASP program the previous summer.

Most clients reported a change in their drinking behavior. Those under 40 reported less progress than those over age 40. Twenty-one percent of the clients interviewed allege that they have stopped drinking altogether, and 65% state that they have at least decreased their drinking.

The study notes that CASP is reaching a problem drinking community heretofore untouched. Only 7% of those studied had been involved in alcoholism treatment before, lending credence to the claim that CASP is addressing alcohol problems at an earlier phase than most treatment services.

Recidivism Also Analyzed

The study also analyzed recidivism, using a sample of 157 clients referred to the CASP program by Peabody District Court from 7/1/75 to 6/30/76. Twenty-seven of the clients in the one-year sample were convicted of DUIL since their referral to the program, reflecting a recidivism rate of 17.6%.

Among the recidivists, six were convicted twice since the initial conviction and two were convicted three times.

Prior to this study, it was widely held that the recidivism rate for DUIL offenders was 3-5%. This study showed that rate to be closer to 18%.

CHINS STUDY FINDS 38% TRUANCY AMONG FRANKLIN COUNTY "CHINS" CASES

The Western Mass. Regional CHINS Consortium (287 State St., Rm. 14, Springfield, Ma. 01105) recently completed an analysis of 155 CHINS cases in the Greenfield District Court for the period January 1, 1974 through mid-October, 1978.

Similar studies were previously completed in Westfield and Palmer.

The Greenfield study found that truancy applications amounted to 38% of all status offense applications while runaways accounted for 35% and stubborn children 26%. The study also found that 45% of the complaints originate with parents, compared to 36% from schools and 7% from police.

The study found a 200% increase in CHINS applications from 1974 to 1978. The report concluded, one may expect "an equal number of delinquencies and CHINS (cases) in less than 10 years."

CRIME IN MASSACHUSETTS -- WHAT VARIABLES ARE RELATED?

The OCP Research Unit is currently analyzing data from 1975-78 to estimate the amoung of "crime" in Massachusetts for 1979 and 1980.

Crime data such as the number of arraignments, care and protection cases, money collections, DUIL cases, as well as CHINS petitions will be tested against several economic variables, state population estimates, and size of the community police forces, to find what relationship exists between "crime" and other socioeconomic conditions.

Economic variables include the unemployment rate and median family income for each town.

Data is being analyzed by court over the 4-year period. When statistically significant correlations are found in the initial regression analysis, those significant independent variables will be used to make projections for 1979 and 1980 criminal activity.

1979 DRUG STUDY WILL ANALYZE PRIOR OFFENSES

The OCP Research Unit has conducted studies of drug defendants in Massachusetts since 1974, measuring the number of people charged with drug charges by age, sex, region, etc.

The first sample of the 1979 drug study was drawn January 22-26; 337 people were included, compared to 290 in the January '78 sample (reflecting a 16% increase).

The 1979 study will introduce a new section: analysis of the incidence of prior offenses for Class A (heroin) and Class D (marijuana) defendants. For both classes, distributors and those charged with possession will be compared.

This new portion of the study will assess differences between the prior criminal histories of these two classes of drug defendants. In the January '79 sample, the prior records of 193 heroin and marijuana defendants will be examined.

The remaining drug samples will be drawn in April, July and October. While the complete findings will not be available until January 1980, copies of the 1978 Drug Study are still available from the OCP Research Unit.

SUPERIOR COURT PROBATION NOW SUPERVISED BY O.C.P.

Chief Administrative Justice Arthur M. Mason announced recently that the Supervisor, Assistant Supervisor, probation officers and all staff operations of the Superior Court Department are assigned, with the concurrence of the Administrative Justice of the Superior Court Department, to the Office of the Commissioner of Probation. They shall report to, and be under the superivision of, the Office of the Commissioner of Probation in the performance of their duties. This order was effective January 24, 1979.

D.U.I.L. STUDY ANALYZES AGE OF DEFENDANTS

The OCP Research Department recently conducted a 4-week study of DUIL defendants by age, sex and incidence of simultaneous offenses.

The sample was drawn from all new DUIL court records received by the OCP between February 5 and March 2, 1979.

In response to the current legislation raising the drinking age in Massachusetts, the study focused particular attention on DUIL defendants 18-20 years old.

The study also measured the incidence of simultaneous charges, such as: operating to endanger, use without authority, leaving the scene of an accident, speeding, personal injury, crimes against person, property crimes, public order violations and controlled substance offenses.

The 4-week sample included 1,754 DUIL defendants; 92 percent of the cases were male, and only 8 percent were female. There was no difference in the sex distribution by age categories.

Fifty percent of the DUIL defendants were charged with drunk driving only, while the other half were charged with multiple offenses.

The average defendant was approximately 30 years of age. The age distribution of the 1,754 DUIL defendants was as follows:

15 yrs. - .2%
16-17 yrs. - 3.0%
18-20 yrs. - 17.4%
21-25 yrs. - 25.8%
26 + years - 53.6%

Inasmuch as Governor King has signed legislation raising the legal drinking age to 20, this DUIL study will be repeated again in the fall, to assess the effectiveness of the new legislation.

For a complete copy of the DUIL study, contact the Research Department, OCP, 727-5307.

RAPE STUDY UNDERWAY

The OCP Research Unit has begun a rape study which will encompass the years 1974 to October, 1978. Cases were drawn from the court appearance records which pass through the OCP daily.

It appears that the sample will total close to 2500 cases, and as such it should prove to be a significant study of the crime of rape in the Commonwealth during the mid-1970's.

Traditional factors such as age of the defendant and time of year in which the rape occurred are being examined. This phase of the study should be concluded by April 30. However, of special interest will be an analysis of a new rape law (Chapter 233, Section 21B) which states that a woman's past sexual conduct cannot be admissible in a rape trial. It will be interesting to test if this law has led to a higher conviction rate of rapists.

An intriguing aspect of the study will be devoted to females charged with rape. It appears that the sample contains a significant number of such cases, and thus a further investigation of those charged with this previously male dominated crime will be undertaken.

The OCP Research Unit encourages comments, suggestions and questions. Anyone who is interested in receiving the intial tabulations of the rape study should call 727-5307 to be placed on our mailing list.

ACCREDITATION EXEC. SECRETARY NAMED

Brian A. Callery has been selected as Executive Secretary of the newly organized Massachusetts Probation Accreditation Commission, effective Jan 17, 1979.

He joined the Probation Service as a PO in Dorchester in 1971, and has worked as director of the Urban Court Program in Dorchester and Earn-It Program in Quincy.

He will be responsible for the full implementation of the 1973 "Accreditation Plan for Probation Offices in the Commonwealth of Mass."

According to Mr. Callery, "the first order of business is to convene a meeting of the Standards Task Force and revise the standards where necessary to comply with court reorganization." The Task Force will be constituted as the Standards Committee, and will meet by mid-March.

Official applications for accreditation will be officially entertained as soon as the standards are revised.

However, Mr. Callery said, "I would encourage all probation offices who are interested in the accreditation process to feel free to call for information now."

The Accreditation Commission office has been opened at 31 St. James Avenue, Suite 327 (Park Square Building), Boston, Mass. 02116. 617-542-0077.

LEAA PROJECT APPOINTMENTS ANNOUNCED

Effective 2/1/79, the following staff have been hired for the LEAA-funded Personnel Development and Organizational Development grants:

Sharon Lee Halloran, as Personnel Policy Specialist. She was formerly personnel director of the Mass. Rehab. Commission. She will be responsible for developing and implementing comprehensive personnel policies and procedures for the probation service.

Philip W. Showstead, as Professional Development Specialist. He was formerly Chief Probation Officer, Wareham District Court. He will be responsible for providing training/staff development activities.

Joan M. McGrath, as Technical Assistance Specialist. She was formerly OCP Probation Standards Specialist. She will be responsible for assisting local probation offices with accreditation and field survey standards.

Donna L. Bryant-Smith, Management Information Specialist. She was formerly associated with Ebacher and Kriegel Law Firm. She will be responsible for developing a comprehensive MIS for the OCP. She is married to ACPO Michael Smith, Essex Probate Ct.

NEW QUALIFICATIONS ANNOUNCED FOR PROBATION POSITIONS

New minimum qualifications for probation positions have been approved by the Advisory Committee on Personnel Standards. The qualifications were developed by the Job Description Sub-Committee, Chief Justice Francis G. Poitrast, Chairman. The new minimum qualifications were promulgated by Chief Administrative Justice Arthur M. Mason on February 12, 1979, and are retroactive to July 1, 1978.

* * * * * * * * * * * * * * *

PROBATION OFFICER

Line Experience: at least 1 yr. in human services or a grad. degree in behavioral sciences, education, admin., mgmnt. or law may be substituted for the required 1 yr. of full-time human services exp.
Education: bachelors degree from a 4-yr. accredited college or univ., or a grad. degree from an accred. college or university.

ASSISTANT CHIEF PROBATION OFFICER

Line Experience: at least 2 yrs. in human or allied services & a grad. degree in behavioral sciences, education, admin., mgmnt. or law, or 2 yrs. as a probation officer in the Mass. Probation Service.
Education: a grad. degree in behavioral sciences, education, admin., mgmnt. or law, or 2 yrs. as a PO in the Mass. Probation Service may be substituted for the required graduate degree.

CHIEF PROBATION OFFICER

Line Experience: at least 3 yrs. in human or allied services & a grad. degree in behavioral sciences, education, admin., mgmnt. or law, or 3 yrs. as a PO in the Mass. Probation Service.
Mgmnt/Admin. Experience: 1 yr. in mgmnt/admin. capacity or 30 hrs. mgmnt. training approved by the Commissioner may be substituted for the required experience.
Education: a grad. degree in behavioral sciences, education, admin., mgmnt. or law or 3 yrs. as a PO in the Mass. Probation Service may be substituted for the required graduate degree.

ASSISTANT SUPERVISOR OF COURT PROBATION SERVICES

Line Experience: at least 4 yrs. in human or allied services & a grad. degree in behavioral sciences, education, admin. mgmnt. or law or 4 yrs. as a PO in the Mass. Probation Serv.
Mgmnt/Admin. Experience: 2 yrs. in a mgmnt./admin. capacity or 30 hrs. of mgmnt. training approved by the Commissioner may be substituted for 1 of the required 2 yrs. of experience.
Education: a grad. degree in the behavioral sciences, education, admin., mgmnt. or law or 4 yrs. in a probation mgmnt/admin. capacity with the Mass. Probation Service may be substituted for the required graduate degree.

SUPERVISOR OF COURT PROBATION SERVICES

Line Experience: at least 5 yrs. in human or allied services & a grad. degree in behavioral sciences, education, admin., mgmnt. or law or 5 yrs.as a PO in the Mass. Probation Service.
Mgmnt/Admin. Experience: 2 yrs.in a mgmnt/admin. capacity.
Education: a grad. degree in behavioral sciences, education, admin., mgmnt. or law or 5 yrs. in a probation mgmnt./admin. capacity with Mass. Probation Service may be substituted for the required grad. degree.

DEPUTY COMMISSIONER

Line Experience: at least 6 yrs. in human or allied services & a grad. degree in the behavioral sciences, education, admin., mgmnt. or law or 6 yrs. as a PO in the Mass. Prob. Serv.
Mgmnt.Admin. Experience: 3 yrs. in a mgmnt./admin. capacity.
Education: grad. degree in behavioral sciences, educ., admin. mgmnt. or law or 6 yrs. as a PO and 3 yrs. in a probation mgmnt/admin. capacity with the Mass. Prob. Serv. may be substituted for the required grad. deg.

CHANGE OF PERSONNEL -- as of 2/23/79

ACTING PROBATION OFFICER IN CHARGE
Franklin Div. of District Court:
John Ladd, 1/1/79
ACTING 1st ASSISTANT CHIEF
Dorchester Div. of District Court:
William Vaughn, 2/14/79
ACTING CHIEF PROBATION OFFICER
Central Middlesex Div. of D.Ct.:
John McAuliffe, 10/16/78
Franklin Div. of the Dist. Ct.:
Paul McDonald, 1/2/79
Northern Berkshire Div. of D.Ct.:
T. William Lewis, 1/29/79
Southern Berkshire Div. of D.Ct.:
Paul Collins, 8/1/78
2nd Essex Div. of Dist. Court:
Donald Funi, 10/16/78
ACTING ASST. CHIEF PROBATION OFFICER
Dorchester Div. of Dist. Court:
Maureen Jones, 2/14/79
Hugh Rafferty, 2/14/79
Bernard Fitzgerald, 2/14/79
3rd Plymouth Div. of the D.Ct.:
Thomas Morris, 10/12/78
Central Middlesex Div. of D.Ct.:
Robert Hurd, 12/18/78
Wrentham Div. of the Dist. Ct.:
Ann McGovern, 7/24/78
PERMANENT ASST. CHIEF PROB. OFFICER
Fall River Div. of the Dist. Ct.:
Gerald Santos, 12/1/78
Bristol Div. of Prob. & Fam. Ct.:
Carl Cruz, 7/3/78
TEMPORARY ADMIN. ASST. TO CHIEF
Middlesex Div. of Superior Court:
Paul Sheehy, 10/1/78
Suffolk Div. of Superior Court:
Robert O'Shea, 7/28/78
ASSISTANT SUPERVISOR
Superior Court Probation:
Edward Leary, 1/2/79

PERMANENT PROBATION OFFICERS
Peabody Div. of Dist. Court:
James Williams, 12/1/78
Middlesex Div. of Probate Court:
Joseph O'Connor, 11/1/78
Sheila Brown, 11/1/78
Bristol Div. of Juvenile Court:
Arnold Grace, 11/1/78
Steven Cadieux, 3/1/78
Essex Div. of Probate Court:
James Clancy, 11/3/78
Brian Monaghan, 9/26/78
Southern Essex Div. of Dist. Ct.:
Ronald Lennon, 2/9/79
Boston Div. of Juvenile Court:
Elizabeth Sparks, 1/30/79
Thomas Gately, 12/27/78
Plymouth Div. of Probate Court:
Ann Hennessey, 1/3/79
Patricia Kelly, 2/1/79
Charles LoGuidice, 2/1/79
Dorchester Div. of Dist. Ct.:
John Clough, 12/20/78
William Stewart, 12/20/78
Hampshire Div. of Probate Ct.:
William O'Riordan, 2/12/79
Quincy Div. of District Court:
Carol Templeton, 1/19/79
Suffolk Div. of Probate Court:
Stephen Patten, 10/21/78
Herbert Johnson, 7/23/78
Joanne Scannell, 11/8/78

TEMPORARY PROBATION OFFICERS
Boston Div. of Juvenile Court:
William Kilroy, 12/22/78
Amy Jo Freedman, 12/8/78
Patrick King, 2/6/79
Wrentham Div. of District Ct.:
Lillian Amaru, 7/5/78
Hampden Div. of Superior Ct.:
Olga Becker, 8/3/78
Thelma Bolling, 5/15/78
James Prevost, 7/21/78
Raysa Kidd, 12/14/78
Bristol Div. of Superior Ct.:
Nancy Boyd, 7/24/78
Joseph Dooley, 7/24/78
Anthony Iacozza, 7/24/78
Norfolk Div. Superior Court:
Joseph Brien, Jr. 7/17/78
Joan Hall, 12/14/78
Middlesex Div. Superior Court:
Joyce Coleman, 7/17/78
Peter Grunebaum, 7/17/78
Lee Johnson, 7/17/78
Edward Rideout, 7/17/78
Albert Marrs, 12/14/78
Essex Div. of Superior Court:
Jane Goodman, 7/17/78
Richard Heaphy, 7/17/78
Andrew Gerakis, 12/14/78
Plymouth Div. of Superior Ct.
Kathleen Johnson, 7/31/78

Worcester Div. of Superior Ct.:
Frederick DeMarinis, 12/14/78
Pauline LaVallee, 12/14/78
Donald McGoldrick, 12/14/78
William Sullivan, 12/14/78

Berkshire Div. of Superior Ct.:
Michael Koperniak, 7/17/78

Suffolk Div. of Superior Ct.:
David Sullivan, 7/17/78
Rosalyn Williams Agbodoe, 7/17/78
Leslie Harris, 12/11/78
Harry Deleon, 8/1/78

Franklin/Hampshire Div. Superior Ct.:
Eileen Torchio, 8/7/78

Barnstable Div. of District Court:
Ann Ryan, 2/28/79
Robert Smith, 11/24/78

Lowell Div. of District Court:
Thomas Linehan, 2/1/79

Adams Div. of District Court:
John Walsh, 11/14/78

Roxbury Div. of District Court:
Debra Levy, 1/17/79

Central Middlesex Div. Dist.Ct.:
Janice Pascucci, 12/28/78
Robert Santossuosso, 12/28/78

Springfield Div. Juvenile Ct.:
Kenneth Lonczak, 2/1/79

3rd Plymouth Div. Dist. Ct.:
Marybeth Borsari, 11/14/78

2nd Plymouth Div. Dist. Ct.:
Joseph Condrick, 12/8/78

Dorchester Div. Dist. Ct.:
John Englebretsen, 9/6/78
Patricia Ann Wynn, 1/29/79
Mira Fish, 12/20/78
William Meyer, 1/1/79
James Adams, 12/15/78
AnnMarie McDonough, 12/1/78
James Kent, 12/1/78

Franklin Div. Dist. Court:
Robert Brown, 2/1/79

S. Worcester Div. Dist. Court:
Maryellen Perry, 1/15/79

Essex Div. of Juvenile Court:
Angela Reardon Funchion, 12/12/78

Suffolk Div. of Probate Court:
Sandra Beth Wilfand, 1/5/79

Worcester Div. of Dist. Court:
Marjorie Tinsley Ursoleo, 9/18/78
Joseph Daly, 9/18/78

Cambridge Div. of Dist. Court:
Lawrence Heaton, 12/4/78

Chelsea Div. of Dist. Court:
Vito Alvia, 12/20/78
Karen Smith, 12/21/78

2nd Essex Div. of Dist. Court:
Reinelle Verschoor, 2/1/79

Wrentham Div. of Dist. Court:
Edward McIntosh, 11/13/78

Worcester Div. of Juvenile Ct.:
Joseph Collins, 1/8/79

RESIGNATIONS, RETIREMENTS, LEAVES OF ABSENCE, ETC.

John Feeney, Supervisor of Superior Court Probation Services, retired.

Hugh Travers, Dorchester Div. of Dist. Court, retired, 9/12/78.

Albert Brown, Chief Probation Officer, Franklin Div. of Dist. Ct., retired, 12/31/78.

Marcia Flynn, Dorcester Div. of Dist. Ct., resigned, 10/24/78.

William Tobin, Plymouth Div. of Dist. Ct., resigned, 2/1/79.

Christina LaFranchi, Bristol Div. of Juv. Ct., resigned, 2/28/79.

Mark Trottier, N. Berk. Div. of Dist. Ct., resigned 1/3/79 (appt. Clerk Magistrate).

Annmarie Rockwell, Boston Div. of Juv. Ct., resigned 12/26/78.

Brian Callery, Dorchester Div. of Dist. Ct., resigned, 1/17/79.

Philip Showstead, Wareham Div. of Dist. Ct., leave of absence, 2/5/79.

John Daley, Jr., Cambridge Div. of Dist. Ct., leave of absence, 1/15/79.

Joseph McNiff, Lowell Div. of Dist. Ct., leave of absence, 1/1/79.

John O'Neil, Amesbury Div. of Dist. Ct., deceased, 10/2/78.

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JOURNAL FROM THE OFFICE OF THE COMMISSIONER OF PROBATION

Vol. 14, no. 2 June, 1979

MANAGEMENT INFORMATION SYSTEM BEING DEVELOPED

What information is needed by the Office of the Commissioner of Probation (OCP) to effectively manage the Probation Service? How do we collect this data? These are the primary questions being asked by Donna Bryant-Smith (OCP) and Touche Ross & Co., a management consulting firm. For several months, they have been working on a plan for a Management Information System for the Probation Service. The project is federally funded for three years. The planning phase of this project will be completed by September.

The development of an "MIS" System is a result of several events which have affected the operations of the Probation Service during the past few years. The recent court reorganization legislation is the most obvious impetus for this project. Supervisory responsibilities and reporting requirements of OCP have increased substantially because of court reorganization.

Other factors include: increases in the number of probation officers and probation clients over the last decade; the development of probation offices in the Probate and Family Court Department; new diversion and mediation programs; and governmental regulations such as equal employment opportunity.

These changes have placed more demands on the Probation Service in terms of the amount and types of activities required. The Management Information System is a method of structuring information to meet these needs. Data on personnel, budgets and operations will be included as part of the system.

The "MIS" System is being developed primarily for OCP use; however, the effects of the MIS will be felt throughout the service. Drawing together all the information gathered from the local offices into a series of management reports will not only aid OCP in policy development and problem identification, but will also improve communication between OCP and the field in general. The MIS project team is working closely with the Staff Development and Research Units of the OCP to develop methods of identifying future training needs of probation personnel and of providing more feedback of pertinent research data to local probation offices.

The project is presently in the planning phase. Site visits have been made to 10 probation offices to evaluate the present information flows between local offices and the OCP. Committees of probation personnel, representing the Superior, Probate, District and Juvenile Court Departments have been established to assist in the design of the system's plan. The next phase of the project involves implementing the Management Information System for the Probation Service.

Anyone with questions or comments should call Donna Bryant-Smith, Management Information Specialist at the OCP, 617-727-5306.

Marjorie Brown Roy, Director of Research

Published quarterly for the Probation Service, the Judiciary and the interested public. Editor, Rm. 211, New Court House, Boston, Ma. 02108. Publication # 6351. Approved by Alfred C. Holland, State Purchasing Agent.

RISK/NEED CLASSIFICATION SYSTEM TO GO STATEWIDE

The new Risk/Need Classification System was launched March 1, 1979 with nine courts participating in a pilot program. The pilot courts include: Suffolk Superior, Cambridge District, Peabody District, Hampden Superior, Middlesex Juvenile, Plymouth Superior, Worcester Central District, Quincy District and Taunton District.

After receiving feedback from the nine pilot courts, plans have been announced for seven regional, four-day Risk/Need Classification Workshops, scheduled from July-November, 1979. Additionally, all chief probation officers will attend a "Risk/Need Overview" Program on June 19th, with Chief Administrative Justice Arthur Mason and Commissioner Joseph Foley introducing the special workshop.

By late fall, it is expected that all probation offices in the Superior, District and Juvenile Court Departments in the state will have had staff trained in the "Risk/Need" System. After each workshop, participants train all staff in their own offices in the use of the new classification system.

Early Feedback Positive

ANDY KLEIN, Chief Probation Officer, Quincy District Court: "The new system gives the probation officer some means to justify different levels of supervision, notwithstanding the judge's official order of probation supervision. Judges now know that a recommendation is not just a random opinion of the probation officer, but based on a sound classification system. Risk/Need helps us assign cases based on the specialized expertise of the probation officers."

AL FERRARI, Assistant Chief Probation Officer, Cambridge District Court: "The new system helps the probation officer to address all eleven needs on the new form; it's easier to not miss something important in assessment. Risk/Need takes the whole area of supervision and puts some structure to it."

KEN LEHANE, Chief Probation Officer, Suffolk Superior Court: "This new system will help all of us offer quality, instead of just quantity service. The system enables assessment teams to discuss each case, and particularly for the problem cases, this is strong back-up for the probation officer's individual assessment about a recommended level of supervision. The training program made it possible to easily translate Risk/Need to the staff."

Numbers Increasing

"SINGLE PARENT FAMILIES" FOCUS OF SPECIAL WORKSHOPS

The Juvenile Probation Training Committee and the Staff Development Unit of the Office of the Commissioner of Probation recently sponsored a series of four regional workshops on Single Parent Families.

The workshops were designed to increase the awareness among probation officers of the experience of single-parenthood, for both the parent and child, and to improve their skills and effectiveness in responding to the special problems of such families.

The absence of a second parent may contribute to behavioral problems in children, as well as make resolving those problems especially difficult and trying. While such families have traditionally been common in the Juvenile Courts, contemporary changes in the standard family configurations suggest their numbers may be increasing.

Dr. Leo Polizoti, Clinical Director of the Marlboro-Westboro Mental Health Day Hospital, led the workshops. Dr. Polizoti is experienced in working with divorced women and children, as well as with probation officers.

MASSACHUSETTS PROBATION ACCREDITATION COMMISSION

The Massachusetts Probation Accreditation Commission (MPAC) is completing preliminary procedures in anticipation of accepting applications for accreditation.

The Standards Committee has met and completed revisions of the standards in the "Red Book". The Probate Standards Committee has completed drafting standards for probate probation offices.

On June 20-21, the MPAC will meet to act upon the revised standards. An updated version of the "Red Book" will be printed in July and distributed to probation offices.

According to MPAC Executive Secretary Brian Callery, "In early September, the MPAC will announce to all probation offices that applications will be accepted for the purpose of receiving an accreditation award."

The MPAC office is located at 31 St. James Avenue, Suite 327, Boston, Mass. 02116.

STANDARDS FOR INVESTIGATION

The Superior Court Judicial/Probation Task Force, comprised of members from the Judiciary and Probation Service, has submitted its report on the development of guidelines and forms for the probation presentence investigation report to be used by the Superior Court Department. The Crime and Justice Foundation is consultant on this project. The report of the District Court Judicial/Probation Task Force, charged with a similar responsibility, is in the final stage of completion, with Dube & Eagan Associates the consulting contractor. An Investigation Report Committee of Juvenile probation officers, operating under OCP auspices, has completed and recommended investigation/inquiry forms and guidelines. A Standards Committee of Probate probation officers met through the fall and established standards for that department.

The investigation report forms which have been developed will be used to provide uniformity within each Trial Court Department. The guidelines will be expanded and when promulgated will become OCP standards that will represent the minimum requirements of acceptable practice for investigations.

AD HOC COMMITTEE ON JUVENILE INVESTIGATION STANDARDS AND FORMS

The following probation personnel met regularly in April and May to develop forms and standards for juvenile investigations. The recommendations were presented to Commissioner Foley on June 1st for his consideration.

Co-chair: Gerry Brocklesby and Joan McGrath (OCP); CPO Robert White, Worcester Juvenile; CPO James O'Laughlin, Essex Juvenile; CPO Michael Walsh, Marlboro District; ACPO Edward Skeffington, Boston Juvenile; ACPO Robert Nevard, Northern Worcester Juvenile; ACPO Anne Donovan, Plymouth Juvenile; PO Joseph Beasley, Middlesex Juvenile; PO Ronald Corbett, Brookline District; PO Robert Flaherty, Quincy District.

CHILD ABUSE STUDY FINDS HIGH FREQUENCY OF SEXUAL ASSAULT

The OCP Research Unit is currently evaluating nearly 200 cases of child abuse which were recorded on CP-1 forms during the 3-month period October 10, 1978-January 10, 1979. During that sample period, all offenses which reflected a child victim were included in the study.

While the original purpose of the study was to assess the amount of battering and neglect of kids, the preliminary findings indicate a high frequency of sexual abuse of children. Offenses include: indecent assault and battery on child, unnatural sexual acts, lewd and lascivious behavior, incest, sodomy.

The study will consist of several sections:

1. analysis of the original charges, by court, age of defendant, nature of crime and sex of defendant;

2. analysis of information contained in the OCP central file, including: prior record (particularly those relating to child abuse), length of time between arrest and trial; rate of conviction; rate of withdrawing cases; pretrial status of defendants (bail vs. ROR issues); findings and dispositions.

3. analysis of the information contained in the individual court folders, such as: relationship between victim and defendant, age of victim, facts of how the crime occurred, etc.

The first stage of the study will be published later this summer.

PROBATION POPULATION: A 10-YEAR RETROSPECTIVE

Over the last 10 years, the Mass. Probation Service has witnessed tremendous growth and change.

The totals at the right reflect the number of probation cases as of Dec. 31 of each year; that is, the number of people who had formal, informal, pretrial, continued or adjudicated cases which required contact with probation officers. Data was compiled from the Monthly Reports of Probation Activities.

The data includes all categories of cases (including suspended fines, cases supervised for other courts, etc.) for which a probation officer had contact.

The number of people under active supervision in 1978 were as follows: Adults-55,733; Juveniles-10,703. Active supervision is defined as someone whose case is continued with supervision, placed on formal probation, or given a suspended sentence.

To receive a copy of the 1978 data on Probation Populations (juvenile and adult) by court, call OCP Research Unit.

District/Superior Court Probation Cases
(all categories of cases)

YEAR	# Juveniles	# Adults
1968	10,442	44,337
1969	11,641	47,959
1970	11,738	54,742
1971	11,695	60,582
1972	11,770	65,881
1973	13,298	70,735
1974	14,923	70,756
1975	13,386	84,115
1976	13,106	85,161
1977	15,773	99,478
1978	17,053	115,354

STAGE 1 OF RAPE STUDY COMPLETED: 52% OF RAPE DEFENDANTS 17-25 YEARS OLD

The OCP Research Unit is now in the process of doing a three-stage analysis of the crime of rape in Massachusetts. Stage 1, which is now completed, contains information on 2,342 rape and rape-related cases which were recorded in the PCF in the 4½ year period 1974 and October, 1978. Rape-related offenses include such charges as: assault with the intent to rape, attempted rape, conspiracy to rape, accessor before the fact of rape, and breaking and entering with the intent to rape. Assault with the intent to rape clearly accounts for the majority of rape-related offenses (90%).

Number of arraignments stayed constant

The statistics indicate that the number of arraignments for rape has not increased between 1974 and 1978. In 1975-1977, the number of arraignments for rape were 573, 553 and 544 respectively. Both 1974 and 1978 show low arraignment rates, but this is a product of the shorter sampling period in each of those years. Projections done for 1974 and 1978 show that if cases had been drawn for 12 months, the total for 1974 would be approximately 524 and the total for 1978 would be 546. This data would appear to contradict the notion that increased concern about the crime of rape has resulted in increased prosecution of accused rapists.

Distribution by age

The distribution of arraignments by age of the defendants showed that males between 17 and 25 years represented the highest percent of rape defendants (52%). Juvenile defendants accounted for slightly over 7 percent of the total sample, while defendants over the age of 26 accounted for 40.5 percent.

The data showed that 75.88 percent of those arrested for rape and rape-related crimes between 1974 and 1978 were 30 years of age or below. Nearly half (49.9%) of those in the sample were between 20 and 29 years old.

Distribution by courts

As might be expected, Suffolk County accounted for almost 30 percent of the statewide arraignments for rape and rape-related offenses. The greater Boston metropolitan area (including Essex, Middlesex, Norfolk and Suffolk counties) represented 58% of statewide arraignments.

Additionally, a rape rate for each county was computed, by equalizing populations at 100,000. Tabulations for the number of rapes per 100,000 show that Suffolk County ranks number 1 in the rape rate. Surprisingly, the small island counties of Nantucket and Dukes ranked 2nd and 4th, respectively, in the rape rate.

Anyone interested in receiving a copy of the first stage of the rape study should contact the OCP Research Unit, 727-5307.

PROBATION COSTS RISE ONLY 5%

According to data recently released by Commissioner Foley, the annual cost of supervising each probationer was estimated at $367 in 1978.

This compares to $350 in 1977 and $320 in 1976.

Although some variations may be found in cost from one court to another, supervision costs overall rose only 5% in the last year. This compares to a 7% increase in the number of people under active probation supervision.

Massachusetts has been cited as one of the states with the largest number of clients per capita under probation supervision. Mass., New York, California, Texas and Michigan account for nearly half of all adults under supervision in the United States.

In 1978, 932 probation officers worked in 100 offices of the Superior, District, Juvenile and Probate and Family Court Departments across the state.

Salaries of the permanent and temporary probation officers amounted to $14,318,810 -- 64% of the Mass. Probation Service 1978 annual budget.

COURT APPEARANCE VOLUME COMPARED: 1978 v. 1977

In comparing court appearance volume for 1978 versus 1977, decreases were noted in 39 courts.

The total CP-1 volume decreased .225%. When this figure is broken down in terms of adults and juveniles, the data showed that adult appearances decreased 4.32%, but juvenile appearances rose 7.49%. Female juveniles increased 15.07% compared to 46.76% for males.

Northampton showed the largest decrease with 3,304 (28.9%) fewer new cases in 1978. Quincy recorded the largest decrease in new juvenile cases, showing 327 (30.5%) fewer in 1978.

Quincy also reported the largest overall total increase in adult appearances: 3,294 more new court appearances in 1978 than 1977 (+31.5%). Dorchester had the greatest increase in juvenile appearances, with 455 (+25%) more than 1977. In Superior Courts, Middlesex Cty. recorded the largest increase, with 1,033 (+36.5%) over the 1977 volume.

DYS COMMITMENTS DOWN 9.1 % OVER 1977

The number of juveniles committed to the Department of Youth Services appears to have dropped 9.1% when 1978 data was compared to 1977.

While 1,015 juveniles were committed to DYS in 1977, that number had dropped to 923 in 1978.

The frequency and percent distributions by county is as follows:

	#	%
BARNSTABLE	13	1.4%
BERKSHIRE	12	1.3%
BRISTOL	43	4.7%
DUKES	2	.2%
ESSEX	158	17.1%
FRANKLIN	7	.8%
HAMPDEN	100	10.8%
HAMPSHIRE	20	2.2%
MIDDLESEX	171	18.5%
NANTUCKET	--	--
NORFOLK	49	5.3%
PLYMOUTH	81	8.8%
SUFFOLK	125	13.5%
WORCESTER	126	13.7%

1979 Drug Study Preliminary Findings Announced

Since 1974, the OCP Research Unit has studied drug defendants in Massachusetts. CP-1 records listing a new drug charge during four sample weeks of the year are counted and analyzed.

Two samples have already been drawn and analyzed in 1979: January 24-28 and April 23-27. The January sample included 332 drug defendants, compared to 337 in April.

Despite the unchanged volume in the two samples, shifts in age and region were noted. Analysis of the preliminary findings indicate:

AGE

While the juveniles (7-16 yrs) represented only 4.8% of the January sample, they accounted for 16% of the April sample.

Older adults (26+) were 30.7% of the January sample, but dropped to only 20.8% in April.

REGION

The number of defendants from Region I (Springfield) dropped between January and April, while Region IV (Essex Cty. and parts of Middlesex Cty.) showed substantial increases.

DRUG CLASS

The Class A (heroin) offenses showed a continuation of the trend noticed in 1978 regarding less use of Class A substances. In the Jan. sample, 9.9% of the defendants were charged with Class A crimes, compared to only 1.8% in April.

Marijuana showed a slight increase, but stayed relatively constant at about 50% of all drug offenses.

Copies of the Preliminary Findings of the 1979 study (which includes a 1978-1979 comparison) are available by calling the OCP Research Unit, 727-5307.

CHANGE OF PERSONNEL -- as of May 23, 1979

CHIEF PROBATION OFFICER

Franklin Division, D.C.
Paul McDonald, 1/2/79

Natick Division, D.C.
Robert Madigan, 5/1/79

Springfield Division,D.C.
Joseph Faucette, 5/1/79

ACTING CHIEF PROB. OFFICER

Berkshire Division, S.C.
Clifford Nilan, 5/1/79

ASST. CHIEF PROB. OFFICER

3rd Plymouth Division, D.C.
Thomas Morris, 5/18/79

Franklin Division, D.C.
James Colgan, 3/1/79

Suffolk Division, S.C.
Milton Britton, 4/13/79
Sandy Stillwell, 4/13/79

Springfield Division, D.C.
William Delaney, 5/15/79

Middlesex Division, S.C.
Patricia McCarthy, 4/18/79

4th Plymouth Division, D.C.
Gloria George, 4/3/79

Dorchester Division, D.C.
Pearlis Jones, 5/9/79

DEPUTY PROBATION OFFICER

Boston Municipal Court
Thomas Curry, 2/15/79

PERMANENT PROBATION OFFICER

Franklin Division, D.C.
Alan Becklo, 7/1/78
Robert Brown, 2/1/79

Worcester Div., P&FC
Michael McManus, 3/1/79

South Boston Division,D.C.
Paul Flynn, 4/9/79
Robert Glaser, 9/28/78

Hampshire Division, D.C.
Edward Driscoll, 3/19/79

West Roxbury Division,D.C.
Adita Vazquez, 1/4/79

Newburyport Division, D.C.
Robert Donague, 4/1/79

Dorchester Division,D.C.
Robert Manion, 5/9/79
John Englebretsen, 3/7/79
John Forcellati, 5/9/79
Anne Marie McDonough, 5/9/79

Dorchester Division,(Juv.)
Juan Palmerola, 3/7/79

Brighton Division, D.C.
Charles Ouellette, 5/30/79
David DeLuca, 5/30/79

3rd Plymouth Division, D.C.
Michael Shea, 4/17/79

Chelsea Division, D.C.
Karen Smith, 6/21/79
Vito Alvia, 6/14/79

Chicopee Division, D.C.
John Tanella, 6/1/78

Middlesex Division, P&FC
Paul McGinn, 3/9/79
Bruce O'Donnell, 5/7/79

Hampden Division, P&FC
Arlene Alyehs, 5/1/79

Bristol Division, P&FC
Donald Kaufman, 4/27/79

Boston Division, J.C.
William Kilroy, 5/23/79

TEMPORARY PROBATION OFFICER

Middlesex Division, P&FC
Robert Pacheco, 3/1/79
Kevin Coughlin, 5/15/79
Terence Tondreys, 5/15/79

Central Worcester Div., D.C.
Robert Rano, 5/14/79

ED LEARY DESIGNATED SUPERVISOR SUPERIOR COURT PROBATION

Edward J. Leary has been named Supervisor, Superior Court Probation. The appointment was announced by James P. Lynch, Chief Justice of the Superior Court Department, and was effective April 9, 1979.

Ed Leary was admitted to the Massachusetts Bar in 1946 and to the Federal Bar in 1952. He was appointed a Probation Officer in Suffolk Superior Court in 1955. Before his appointment as Supervisor, he had served as Assistant Supervisor of the Superior Court Probation Service since 1974.

CHRIS SONNHALTER NAMED PROBATION STANDARDS SPECIALIST

The Mass. Probation Accreditation Commission announces the appointment of Christine Sonnhalter as Probation Standards Specialist.

She holds a B.A. degree from the University of Colorado and M.A.T. from Simmons College.

Chris was former Director of the Diversion of Female Offenders Program in Boston. Previously, she was a counselor for the Court Resource Program in Boston, and the Senior Child Care Counselor at Orchard Home in Watertown.

MASSACHUSETTS PROBATION
June, 1979

Contributing Writers:

Donna Bryant-Smith
Brian Callery
Anne Derrane
Thomas McDonagh
Joan McGrath
Eleanor Mire

TEMPORARY PROBATION OFFICER

3rd Eastern Middlesex Div., D.C.
Lawrence Heaton, 5/7/79

Middlesex Juvenile Prob. Div., D.C.
Ellen Barry, 5/1/79

1st Southern Worcester Div., D.C.
Patricia Moriarty, 4/23/79

Hampshire Division, D.C.
Barry Bouthilette, 4/30/79

4th Plymouth Division, D.C.
Daniel Zapata, 3/12/79

Springfield Division, D.C.
Maria Flora Rodriguez, 6/18/79

Boston Municipal Court
Karen Featherson, 3/14/79
John McCarthy, 3/7/79

2nd Plymouth Division, D.C.
Joseph Condrick, 4/9/79

Suffolk Division, S.C.
Paul Shea, 5/2/79
Richard Bracciale, 5/8/79

Roxbury Division, D.C.
Richard Hyde, 9/6/78
Christine Kerr, 7/5/78
Katherine Kane Calapa, 7/5/78
John Rourke, 9/6/78
Donald Mumford, 5/10/78
William McCormack, 9/20/78
James Lynch, 4/30/79

Dorchester Division, D.C.
Andrew Chmielinski, 3/14/79
Paul Pennisi, 3/14/79
Robert Gray, 3/14/79
William Walczak, 2/14/79

RESIGNATION

Framingham Division, D.C.
Mark Occhipinti, 2/28/79

DECEASED

1st Barnstable Division, D.C.
William P. Nagle, Jr., 3/11/79

MASS. J6.3 : 14/4

massachusetts probation

JOURNAL FROM THE OFFICE OF THE COMMISSIONER OF PROBATION

PROBATION ACCREDITATION APPLICATIONS ACCEPTED

The Massachusetts Probation Accreditation Commission (MPAC) announced the official opening of its office at 31 St. James Avenue in Boston on September 20th, 1979, to accept applications for accreditation from the Probation Service of Massachusetts. The probation service is at the forefront nationally in establishing and implementing standards of excellence with which an office will voluntarily strive to achieve compliance.

The appointment of a seven member Commission by the Commissioner of Probation in 1978, and the opening of the MPAC Office in 1979, culminates the accreditation efforts begun in 1971. At that time, an eighteen member group of probation officers met to establish standards which were published in the "Red Book". This group of probation officers and others was reconvened, and the number augmented to 31 in 1979, to review, revise, and add to the existing standards. Now known as the Standards Committee, this group is responsible for the revision of existing standards and development of new ones to insure that the Accreditation Plan remains timely and relevant, and will continue to include standards of excellence.

The Accreditation Commission is pleased to announce that the following probation offices have entered the process for accreditation:

-The Superior Court Department: Suffolk

-The District Court Department: Brookline, Gardner, Wareham, Woburn, Dudley and Hingham.

-The Probate and Family Court Department: Worcester.

One of the benefits of the accreditation process to the probation service is the Plan's unique ability to tie in all aspects of probation work in one effort. The year of 1979 has witnessed many changes, including the continued implementation of court reorganization, the development of Risk/Need Classification and the development of standards. All of these have required training and implementation techniques for each office. The Accreditation Plan encompasses all of the above, as well as many other areas. A probation office undergoing the process of accreditation will bring itself into compliance with the above programs and standards, and upon attaining accreditation, will be publicly recognized as an accredited office.

Marjorie Brown Roy, Director of Research * December, 1979 * Vol. 14, no. 4

Published quarterly for the Probation Service, the Judiciary and the interested public. Editor: Room. 211, New Court House, Boston, Mass. 02108. Publication #6351. Approved by Alfred C. Holland, State Purchasing Agent.

PROBATION MANAGEMENT TRAINING PROGRAM HELD

The Staff Development Division of the Office of the Commissioner of Probation sponsored another in its on-going series of "Probation Management Training Workshops". The series was held December 10-14 at the Waltham Holiday Inn.

Inasmuch as the Management Training Workshops are limited in the number of participants who can attend, this series is held regularly throughout the year. At the end of the five-day workshop, participants are credited with 30 in-service training credits.

Facilitated by Don Cochran, Assistant Director of Staff Development, the Management Training Workshops are designed to supply participants with both knowledge and skills in the field of management. The program brings together concepts, theories, and research from a variety of disciplines that are useful to probation managers in making decisions about the behavior of individuals and groups of workers.

Since the introduction of the Probation Management Training Program in May, 1978, 192 people from the Massachusetts Probation Service have participated in the workshops.

Anyone who is interested in more information about upcoming Management Training Programs for probation personnel should contact the OCP Staff Development Division, 617-727-8484.

MAYA OLLSON APPOINTED TO STAFF DEVELOPMENT POST

Maya Ollson has been named Professional Development Specialist in the Staff Development Division of the OCP.

Maya holds a B.A. degree in Psychology/Sociology from Wagner College and received her Masters in Education in Counseling from Northeastern University.

Prior to joining the OCP in October, Maya was a psychotherapist in private practice.

She has extensive experience in leading training programs, including workshops for teachers, students and parents through the Boston School Department. She has also developed training programs for Comprehensive Therapies, the Boston Teen Center Alliance, Action for Boston Community Development, the Division of Employment Security and numerous other agencies.

Maya will be facilitating many of the OCP-sponsored training programs in the near future.

RISK/NEED FEEDBACK SESSION HELD WITH 9 PILOT COURTS

A one-day feedback session on the new "Risk/Need" Classification System was held in mid-November for 36 representatives from the nine pilot courts.

The pilot courts implemented the Risk/Need system about nine months ago.

Strengths and Weaknesses

The session focused on the strengths and weaknesses of the new system. Among the strengths were: uniformity, improved case management, identification of resources, improved services to probationers, regular caseload review, good supervision tool, and a way to help answer the important questions: what should I do and what can I do.

Among the "cons" to the new system were: it is initially time consuming, involves new language, some of the category definitions need tightening, and the OCP does not currently have computer facilities to permit feedback of data.

An intensive 3-day program is scheduled for the nine pilot courts in the spring, as part of the continuing process of evaluating and improving the new Risk/Need Classification System.

ANNUAL PROBATION CONFERENCE HELD DECEMBER 4th

In accordance with Ch. 478 of the Acts of 1978, " ... the Commissioner of Probation may hold conferences on probation throughout the Commonwealth ..." On Tuesday, December 4th, Commissioner Joseph P. Foley hosted the 1979 Probation Annual Conference at the Chateau De Ville in Framingham. The 1979 theme was "To Inform and To Be Informed."

THE TRIAL COURT
Arthur M. Mason, Chief Administrative Justice
Joseph P. Foley, Commissioner

The first morning session featured workshops for specific court departments, covering such topics as: "Issues Concerning Probation in the Superior Court", "The Year of the Child", "CHINS Overview", and "District Court Investigations in the Eighties."

Topical workshops were held during the second morning session, covering the Criminal History Systems Board, Performance Appraisal, the Department of Youth Services Restitution Program, and Accreditation.

A special workshop for clerical staff was held during the morning session.

Keynote Address

The keynote address was given by Richard A. Green, Esq., Chairman of the American Bar Association Task Force on Sentencing Alternatives and Procedures in Washington, D.C. His topic was "Legal Issues Confronting Probation."

The Office of the Commissioner of Probation gratefully acknowledges that the 1979 Probation Annual Conference was partially supported by an allocation from Chief Administrative Justice Arthur Mason. Inasmuch as federal funds are no longer available to underwrite costs of the Conference, a $5 registration fee was required for Conference participants.

COLLECTIVE BARGAINING AGREEMENT SIGNED

The first labor agreement in the history of the Judicial Branch was formally signed on August 21, 1979. The Agreement is between the Chief Administrative Justice of the Trial Court and Local 254, Service Employees International Union, AFL-CIO, and covers the period from July 1, 1978 through June 30, 1981.

All probation officers (excluding Chief Probation Officers) and all court officers, except those in the Superior Court Department in Suffolk and Middlesex Counties, are covered by the contract.

Governor King and the General Court have approved a request for the appropriation necessary to fund the incremental cost items contained in the Agreement, and procedural information on the implementation of salary increases has been distributed by the Office of the Chief Administrative Justice to payroll and processing clerks.

FEMALE OFFENDER STUDY

The OCP Research Unit is currently analyzing sentencing and offense patterns of 486 female offenders who were convicted of crimes against persons, crimes against property and use of a motor vehicle without authority between 1975 and 1978.

According to preliminary data, 41% of the females were "first offenders", while 59% had a prior adult or juvenile record.

63% Under 26 Years Old

The preliminary analysis shows that nearly two-thirds (63%) of the females were under 26 years of age; nearly one-quarter (24%) were between 17-20.

Offense Distribution

The 486 females in the study accounted for 697 offenses. Various larceny crimes accounted for 32.83% of the charges, the highest frequency in the study.

The second most frequent offense category include various assault charges, accounting for 21.77% of the charges.

Various breaking and entering offenses accounted for 10.88% of the charges. Other related crimes included Receiving Stolen Goods (9.46%) and Possession of Burglary Tools (1.43%).

Distribution of Sentences

When the sentencing patterns for the female offenders were examined, preliminary findings indicate that 40% received suspended sentences, 26% were placed on probation and 8% were incarcerated.

The final report will include data on the effect of age, offense, and prior records on sentencing patterns.

If you would like a copy of the final report when it is available in Feburary, 1980, call the OCP Research Unit (617-727-5307).

D.U.I.L. FOLLOW-UP STUDY FINDS HIGHER PERCENT OF TEENAGE DRUNK DRIVERS

The OCP Research Unit recently conducted a follow-up to the February, 1979 study of Driving Under the Influence of Liquor defendants by age, sex and simultaneous offenses.

The follow-up study included all new DUIL court appearance records received by the OCP from October 1-26. The October study followed the same methodology as was used in February.

Assess Effectiveness of New Law

The follow-up study was undertaken to assess the effectiveness of the new legislation which raised the legal drinking age in Massachusetts from 18 to 20 on April 16, 1979.

The study also measured the incidence of simultaneous charges, such as: operating to endanger, use of a motor vehicle without authority, leaving the scene of an accident, speeding, personal injury, crimes against persons, property crimes, public order violations and controlled substance offenses.

Similar Sample Size

The October sample included 1,788 DUIL cases, compared to 1,754 in the February study.

In both the February and October samples, the average DUIL defendant was approximately 30 years of age, with females in both studies being slightly older than males. In both studies, males accounted for about 90% of DUIL court cases.

Distribution by Age

When the age distributions for the February and October samples were compared, the OCP Research Unit found that a higher percent of the October DUIL cases were under 20 years (17%) compared to the February cases (14%).

These findings appear to indicate that teenagers are not honoring the new legal drinking age, and that the police may be focusing special attention on apprehending teenage drunk drivers.

For a copy of the full research report which compares the two sample periods, contact the OCP Research Unit (617-727-5307).

ARSON STUDY

The OCP Research Unit is conducting a study of arson, based on 103 randomly selected convictions between 1975 and 1978.

The study includes 19 arson cases in 1975, 24 in 1976, 32 in 1977 and 28 in 1978.

The majority of the convicted persons were male (97%). The average age of the convicted arsonists was 25 years.

Preliminary findings also show the following age distribution:

7-16 yrs. - 16%
17-25 yrs. - 51%
26+ years - 33%

More than three-quarters of the convicted arsonists had a prior criminal/delinquency record.

Sentences appear to show wide variations: 25% of the convicted persons were incarcerated, 43% received suspended sentences and 20% were placed on probation.

A complete report of the findings from the Arson Study will be available from the Research Unit in early February, 1980.

"STOLEN CARS" STUDY UNDERWAY

The OCP Research Unit is examining two "stolen car" crimes: use of a motor vehicle without authority (114A) and larceny of a motor vehicle.

Inasmuch as several Massachusetts cities lead the nation in the incidence of stolen cars, the study will analyze the sentencing patterns for these two offenses.

Data is drawn from nearly 500 randomly selected convictions for 114A and larceny of a motor vehicle.

Preliminary findings show that the age distribution for those convicted/adjudicated for 114A and larceny of a motor vehicle compared as follows:

	114A	Larc.M.V.
8-16 yrs.	29%	20%
17-25 yrs.	62%	67%
26+ yrs.	9%	13%

The study will also examine the range of sentences, prior criminal/juvenile records, and simultaneous offenses.

The final report will be available from the OCP Research Unit in February, 1980.

1979 DRUG STUDY SHOWS CONTINUED DECLINE IN "CLASS A" OFFENSES

The OCP Research Unit is completing analysis of drug defendant data for 1979, in which 1,329 drug cases are being examined and compared to 1,312 cases in 1978. The annual drug studies analyze all drug court cases which are reported to the Probation Central File during four selected sample weeks of the year.

The 1979 Drug Study will include: age of defendants at arraignment, residence by region, court of arraignment, substance by drug class, class by region, incidence of simultaneous offenses, possession v. distribution, and distributors by drug class. In addition, the 1979 Study will include an in-depth analysis of the prior criminal histories of all 55 defendants charged with Class A (heroin) crimes and all 801 Class D (marijuana) defendants.

Preliminary findings indicate that only 4.13% of the 1979 drug defendants were charged with a Class A offense, compared to 6.78% being similarly charged in 1978. These findings reflect a continued decline in arrests for possession and/or distribution of heroin. Class D offenses accounted for 60.3% of the 1979 cases, compared to 58.9% in 1978.

Based on the statewide volume in four sample weeks, the forthcoming drug study estimates that 17,277 persons were charged with drug crimes in Massachusetts during 1979; of that, an estimated 10,413 were charged with Class D crimes.

The final report for the 1979 Drug Study will be released in early January. For a copy of the report, call the OCP Research Unit, (617-727-5307).

RESOURCES

PREVENTATIVE SERVICES FOR SHOPLIFTERS

Preventative Services, Inc. of Massachusetts is a non-profit corporation that provides an educational workshop program for first or second offender shoplifters who, through record examination by the police, diversion program, or the courts are determined not to be professionals or those who are making their living from shoplifting.

The agency is currently working with the Quincy, Brookline, Natick, Waltham, Woburn and Wrentham courts.

The objectives of the program include: to provide an alternative sentencing program for 1st or 2nd offender shoplifters; to intervene with a diversion program following the apprehension of a shoplifter but prior to court action; to provide a voluntary rehabilitative experience; and to reduce the caseload of shoplifters in an overcrowded court system.

Preventative Services holds workshops throughout the Greater Boston area, consisting of no more than 30 students. A $60 fee is charged; however, special arrangements can be made for those shoplifters who cannot afford the fee.

For more information about this agency, call: Preventative Services, Inc., 992 Great Plain Ave., Needham, Mass. 02192; 617-449-3208.

A.I.D. PROGRAM COMPLETED FY-79 ANNUAL STATISTICAL REPORT

The Alcohol Information for Drivers Program of Marlboro has completed its annual statistical report for the fiscal year ending 6/30/79.

The AID program is a voluntary educational and counseling program for persons appearing before the District Courts of Marlboro, Westboro & other courts for charges of driving under the influence of alcohol.

In those cases where there are sufficient facts to warrant a guilty finding, the client may request to have an interview for the program.

The AID program has received 1,119 client referrals from the Westboro, Marlboro and other courts since its inception in 1975.

The 1979 report cites the AID program recidivism rate at 2%.

Of the 278 clients in fiscal year 1979, 43.88% were involved in an accident. Nearly half (49.28%) were stopped between midnight and 4 AM.

The report also analyzed the age distribution of people in the 1979 AID program:

9.7% -- up to 18 yrs.
25.2% -- 19 to 22 yrs.
37.0% -- 23 to 35 yrs.
23.7% -- 36 to 55 yrs.
4.3% -- 56 yrs. and older

"JUVENILE DELINQUENCY: OUTLINE FOR REHABILITATION AND JUVENILE REFORM"

The April, 1979 issue of the journal REHABILITATION LITERATURE included an article by Richard T. Goldberg and B. Delia Johnson, entitled "Juvenile Delinquency: Outline for Rehabilitation and Juvenile Reform." The article reports the major findings and implications of a three-year research and demonstration program funded by Rehabilitation Services Administration and the Massachusetts Rehabilitation Commission.

The research project included youth from the First District Court of Southern Middlesex and the Third District Court of Eastern Middlesex.

Goldberg and Johnson concluded, "As Massachusetts moved further away from institutionalization, and as youth are maintained in the community, the need for vocational rehabilitation services will be increased. The juvenile correctional system must find ways to refer delinquent youth to community based resources for vocational training, counseling and job placement."

CHANGE OF PERSONNEL -- as of November 26, 1979

CHIEF PROBATION OFFICER

1st Bristol Div., D.C.
William T. McAndrew, 8/16/79

Southern Berkshire Div., D.C.
Paul R. Collins, 11/1/79

PROBATION OFFICER IN CHARGE

Eastern Franklin Div., D.C.
John F. Ladd, 6/29/79

PERM. 1st ASST. CHIEF P.O.

Suffolk Division, S.C.
Joseph P. Donnelly, 10/18/79

PERMANENT ASST. CHIEF P.O.

Plymouth Division, S.C.
John J. Healey, 10/19/79

Norfolk Division, S.C.
Edward J. Cisternelli, 10/19/79

1st Southern Worcester Div., D.C.
Brian Belliveau, 10/15/79

Worcester Division, S.C.
Matthew J. Palumbo, 10/19/79

PROVISIONAL ASST. CHIEF P.O.

Middlesex Div., P. & F.C.
Robert J. Geary, 10/22/79

Dorchester Div., D.C.
Maureen S. Jones, 8/14/79

PERMANENT PROBATION OFFICER

Franklin/Hampshire Div., S.C.
Eileen J. Torchio, 10/30/79

Suffolk Div., P. & F.C.
Stephen V. Price, 10/10/79

Suffolk Div., S.C.
Rosalyn J. Agbodoe, 9/25/79
Henry DeLeon, 9/25/79
David R. Sullivan, 9/25/79

Bristol Div., S.C.
Joseph W. Dooley, 9/25/79
Nancy J. Boyd, 9/25/79

Berkshire Div., S.C.
Michael L. Koperniak, 10/30/79

Middlesex Juvenile
Ellen Barry, 11/1/79

Dorchester Div., D.C.
Mark T. McHale, 8/31/79
Andrew H. Chmielinski, 9/15/79
James D. Kent, 9/15/79
Paul J. Pennisi, 9/15/79
William D. Manning, 7/20/79
William J. Walczak, 8/15/79
Robert L. Gray, 9/14/79

Middlesex Div., S.C.
Joyce E. Coleman, 9/25/79
Peter A. Grunebaum, 9/25/79
Lee G. Johnson, 9/25/79
Edward J. Rideout, 9/25/79

3rd Eastern Middlesex Div., D.C.
Lawrence G. Heaton, 9/7/79

Northern Berkshire Div., D.C.
John P. Walsh, 8/14/79
Mark Hayer, 11/10/79

Plymouth Div., S.C.
Kathleen R. Johnson, 9/25/79

Norfolk Div., S.C.
Joseph Brien, Jr., 9/13/79

Worcester Div., P. & F.C.
Marjorie T. Ursoleo, 9/18/79
Joseph W. Daly, 9/18/79

1st Worcester Div., D.C.
Patricia Moriarty, 10/23/79

Hampden Div., S.C.
James A. Prevost, 9/25/79
Olga Becker, 9/25/79
Thelma V. Bolling, 9/25/79

Essex Div., S.C.
Richard J. Heaphy, 9/25/79
Jane Goodwin, 9/25/79

2nd Essex Div., D.C.
Reinelle K. Verschoor, 11/1/79

Boston Municipal Court
Karen C. Featherson, 11/7/79
John P. McCarthy, 11/7/79

Essex Juvenile
Angela Funchion, 11/19/79

TEMPORARY PROBATION OFFICER

3rd Eastern Middlesex Div., D.C.
Claire S. Figueiredo, 9/17/79

4th Eastern Middlesex Div., D.C.
Maureen Goodfellow, 10/1/79

HOLIDAY
GREETINGS!

As this Holiday Season approaches, I pause to reflect on the contributions of personnel in the Massachusetts Probation Service during the last year.

The year 1979 brought many changes, with demands for flexibility, innovation, responsiveness, new programs and new directions for us all.

You were asked to work together as we accommodate the pressures of court reorganization, and your response was overwhelming.

I am aware of your many contributions and achievements; you have committed yourselves to facing the future challenges of the Massachusetts Probation Service.

On behalf of myself and the OCP staff, I offer Holiday Greetings to each of you and best wishes for a productive, convivial New Year.

JOSEPH P. FOLEY
Commissioner

PROBATION JOURNAL CONTRIBUTORS

The following people contributed articles and information for use in the December, 1979 issue:

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Lauren Herbert	Brian Callery
Gerry Brocklesby	Anne Derrane
Michael Gondell	Deborah Iovanna

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Richard J. Berti, 11/2/79

Essex Div., P. & F.C.
Geraldine DeYoung, 9/4/79

Dorchester Div., D.C.
Audrey L. Dickerson, 10/15/79

Norfolk Div., P. & F.C.
John E. Fleming, 11/26/79
William A. Littleton, 11/26/79
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Craig M. Arnold, 11/26/79

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Plymouth Div., P. & F.C.
Michael E. LaFrance, 11/26/79

Bristol Div., P. & F.C.
Donna M. Cordiero, 11/5/79

2nd Eastern Middlesex Div., D.C.
Richard J. Curtin, 12/3/79

PROBATION OFFICER RESIGNATIONS

Northern Berkshire Div., D.C.
Joan Keyes Scott, 9/1/79

Bristol Div., P. & F.C.
Donald B. Kaufman, 9/30/79

Boston Municipal Court
Leo Osgood, 9/29/79

Central Northern Essex Div., D.C.
Anne E. Toye, 9/30/79

Northern Norfolk Div., D.C.
Sue Zuker, 11/1/79
John O'Neil, 9/21/79

Springfield Div., J.C.
Bette Isacoff, 11/14/79

PROBATION OFFICERS RETURNED FROM LEAVES OF ABSENCE

Bristol County Div., J.C.
Susan M. Paris, 8/1/79

Southern Essex Div., D.C.
Paul L. Bartram, 5/1/79

HELP US KEEP OUR MAILING LIST UP-TO-DATE! Notify the Editor of any deletions or changes of address for the PROBATION JOURNAL!

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